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CONFIDENTIAL FIUNG

Salmonella and Eggs

AGRICULTURE

December 1988

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PREM 19/2904

PART 1 ends:-

H/C CMC report on Salmonella in eggs

PART 2 begins:-

Ann draft to PM 6.4.90

Published Papers

The following published paper(s) enclosed on this file have been removed and destroyed. Copies may be found elsewhere in The National Archives.

1. Command 687: Salmonella in Eggs: response of the Government to the First Report from the House of Commons Agricultural Committee 1988-89 Session, HMSO, 9 May 1989
2. Command 993: Salmonella in Eggs: response of the Government to the Progress Report from the House of Commons Agriculture Committee 1989-90 Session HMSO, March 1990 [ISBN 0 10 109932 0]

Signed Wayland Date 9 September 2016

PREM Records Team



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The Prime
to BT ✓
turning
letter.

10 DOWNING STREET
LONDON SW1A 2AA

From the Principal Private Secretary

27 February 1990

SALMONELLA IN EGGS

The Prime Minister has seen the Minister of Agriculture's minute of 26 February. She was happy with the proposed response to the House of Commons Agriculture Committee and content that it should be published in the form of a Command Paper.

I am copying this letter to the Private Secretaries to members of MISC 138 and to Sir Robin Butler.

ANDREW TURNBULL

Andy Lebrecht, Esq.,
Ministry of Agriculture, Fisheries and Food.

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Ministry of Agriculture, Fisheries and Food
Whitehall Place, London SW1A 2HH

From the Minister

PRIME MINISTER

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CE 264
Prime Minister
Content that proposed
response be issued?

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26/2

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SALMONELLA IN EGGS

On Tuesday 9 January the House of Commons Agriculture Committee published its Progress Report on Salmonella In Eggs. This, very short, Report made three points of substance:

- i) The Government should re-double its efforts to secure Community wide measures to control salmonella infections in poultry;
- ii) The Government should seek an appropriate derogation from any EC Egg Marketing Regulations to allow all UK produced eggs to bear a British identification mark;
- iii) The Government should examine the case for higher compensation carefully.

The draft response attached addresses all three points in a positive way, which should be welcomed by the Committee. However there remains the difficult issue of preventing the import of salmonella infected eggs. Whilst we can agree with the Committee's view on how we should carry this issue forward, as the response makes clear, there are a number of MPs and other interested parties who will wish to go further. I would hope that progress on the introduction of Community wide measures to control salmonella infection in poultry flocks will reduce the number calling for direct (and unlawful) action to control imports.

/It is important...

It is important that Government keeps control of publicity for the response and it should therefore be published as a Command Paper, in the usual way. Officials at the Department of Health who have been involved with the preparation, agree with this view. I should be grateful therefore for authority to submit the attached response to the Agriculture Committee, in the form of a Command Paper, at the earliest opportunity (subject to any overriding publicity needs).

I am copying this minute to other members of MISC 138 and to Sir Robin Butler.

A handwritten signature in dark ink, appearing to be 'JG', is located on the right side of the page.

MINISTRY OF AGRICULTURE,
FISHERIES AND FOOD

JG

26 FEBRUARY 1990

SALMONELLA IN EGGS

Response of the Government to the Progress Report from the House of Commons Agriculture Committee 1989/90 Session.

Presented to Parliament by the Minister of Agriculture, Fisheries and Food, the Secretary of State for Wales, The Secretary of State for Health, the Secretary of State for Scotland and The Secretary of State for Northern Island by Command of Her Majesty.

MARCH 1990

SALMONELLA IN EGGS

RESPONSE OF THE GOVERNMENT TO THE PROGRESS REPORT FROM THE HOUSE OF COMMONS AGRICULTURE COMMITTEE

Introduction

1. This memorandum sets out the Government's response to the Agriculture Committee's Progress Report on Salmonella in Eggs.
2. The Government welcomes the Committee's review of the measures adopted to combat the salmonella problem. It notes that the Committee, while acknowledging the need for time to assess the effectiveness of the measures, has not recommended any changes to the steps taken to protect public health except in relation to imported eggs.

Salmonella and imported eggs

3. The Government shares the Committee's concern over eggs imported from countries which have not taken comprehensive measures to control salmonella. It agrees that the solution lies in securing Community-wide measures to control salmonella infection in poultry flocks. The Minister of Agriculture, Fisheries and Food raised this issue at the meeting of the Agriculture Council on 22-23 January 1990 and pressed the Commission to present proposals to the Council at the earliest possible opportunity. The Commissioner's response was encouraging; he said that discussions would start soon with experts with the aim to have these measures in force by mid 1990.

Marking of eggs

4. The Government has carefully considered the Committee's suggestion that all UK - produced eggs should be permitted to bear a British identification mark.

5. There are doubts about the value of stamping eggs. The British Egg Marketing Board decided to end stamping believing it detracted from the image of the egg as a fresh product. It was found that unstamped eggs, not marketed through the Board, attracted a premium as consumers considered unstamped eggs to be a fresher product. For this reason and the additional costs involved it is doubtful whether packers would take up the option widely.

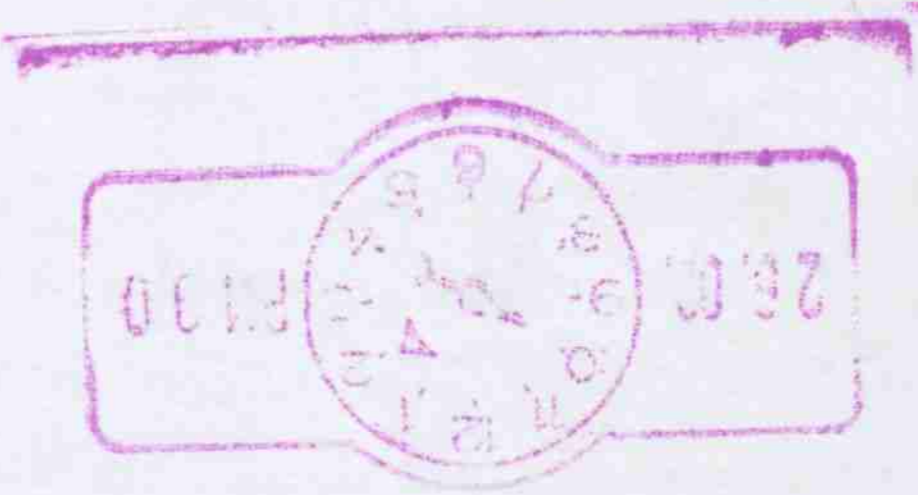
6. As the Committee recognised it would also require a change to the EC Council Regulation on egg marketing standards. Discussions on revised Council (and Commission) Regulations have been going on for some time but there are no indications that revised Regulations will be adopted in the near future. Moreover, our priority is to persuade the EC rapidly to adopt stringent controls on Salmonella infection in poultry throughout the Community.

7. It is already legally possible to put origin terms on small retail packs of eggs under the EC regulations already mentioned (provided that certain simple records are kept by the producer and the packer and made available for inspection by the Egg Marketing Inspectorates of the Agricultural Departments). These origin terms can relate to either the whole Member State in which the eggs were produced, or to a region of it. For example "United Kingdom", "British", "Northern Irish" or "Norfolk" would all be acceptable. Ministers have pointed out to the Industry this possible course of action. Equally retailers who sell home produced eggs are free to advertise that fact in their stores. In these ways the trade can enable UK consumers to identify home produced eggs when they are deciding what to buy. The Government considers that this represents the most practical way of meeting the Committee's concern.

Compensation

8. The Government notes the Committee's comments on the levels of compensation paid when salmonella-infected flocks are

compulsorily slaughtered. The payments have to be calculated in accordance with the provisions of the Animal Health Act 1981, as applied through the Zoonoses Order 1989, which requires compensation to be the value of the birds at the time of slaughter. Subject to the constraints of the legislation the compensation scales are to be revised by the Government in line with increases in commercial prices and will be kept under regular review in the future. Producers will continue to have the right to take the matter to independent arbitration if they disagree with the Ministry's valuation.





NBM
AT 2717
CCP/PU

SCOTTISH OFFICE
WHITEHALL, LONDON SW1A 2AU

COMMERCIAL - IN CONFIDENCE

The Rt Hon John Selwyn Gummer MP
Minister of Agriculture, Fisheries and Food
Ministry of Agriculture, Fisheries and Food
Whitehall Place West
LONDON
SW1A 2HH

27 July 1989

Dear John

SALMONELLA: ACTION ON POULTRY BREEDING FLOCKS

In my letter of 19 July to John MacGregor, I outlined my concerns about his proposal to introduce an immediate compulsory slaughter scheme for infected broiler-breeder flocks and suggested that an interim measure might be necessary. Having considered the matter further I remain of the view that such action is essential in the interests of ensuring that the measures which we take do indeed lead to the benefits to public health which we are seeking while at the same time avoiding devastating effects on the UK industry.

My proposal comprises two elements. I agree that we should introduce an immediate compulsory slaughter scheme in respect of infected foundation stock ie elite and grandparent stock. It would however be essential to be clear what this involves. I would suggest that only these birds which are found to be infected should be subject to compulsory slaughter. All others in the same house or site would be allowed to continue in production but would of course be subject to monitoring and testing under the arrangements which we are introducing. If we were to require slaughter of all birds in a house, or worse still on a site containing several houses, in which infected birds had been found the effect on the industry would be disastrous because large quantities of replacement stock of varying ages could not readily be obtained at short notice, and the compensation implications could in any event be enormous with some elite stock being valued at up to £200.

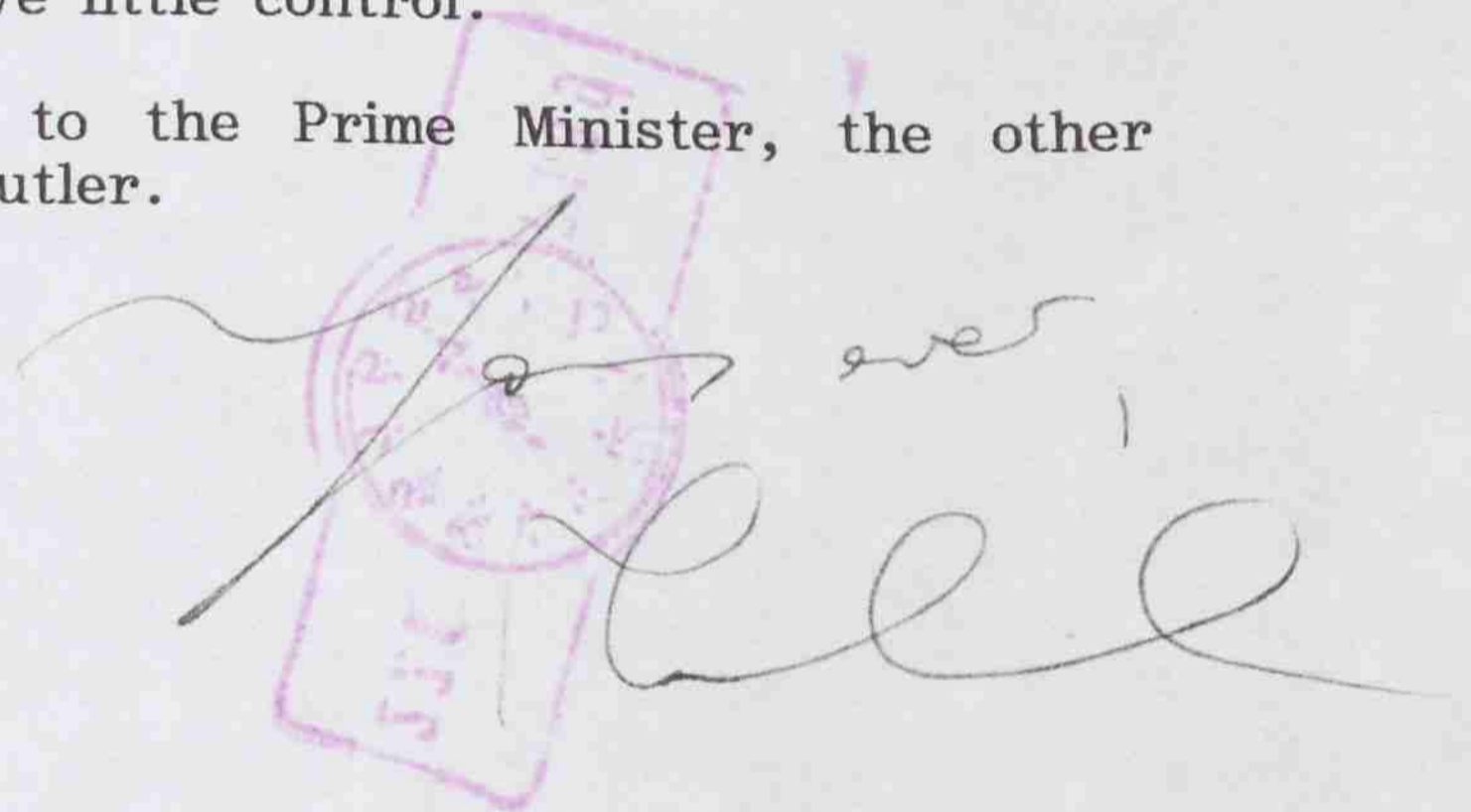
The second element would relate to parent stock. Because of the complex nature of the breeding cycle, it would be impossible to replace compulsorily slaughtered parent birds immediately. Replacements would require to be bred from day old. In the paper enclosed with your letter of 3 July, you estimated that infection among broiler breeders could be of the order of 10-20% nationally. Given the tight margins to which the industry works the effect on its production of a slaughter programme on this scale would I believe be very serious since it would not be possible to obtain sufficient eggs from grandparent stocks to replace slaughtered flocks in the required time period.

The shortfall in broiler meat production could be made up only by imports. There would be no guarantee whatsoever that imported poultry meat would be free from salmonella. We would therefore have made no advance in our aim of reducing the risk to public health while we would

at the same time have inflicted enormous economic damage on our own industry.

I suggest therefore that for parent stock we introduce an arrangement for a strictly limited period whereby infected stock would be allowed to remain in the production cycle until end of lay. There would be a requirement that it would then be replaced by certified clean stock. Given the nature of the industry's production cycle, such an arrangement would have the effect of clearing some 50% of the national flock within a period of no more than six months and the whole replacement process would be completed within 60 weeks. The breathing space thus provided would give time for the slaughtering of infected elite and grandparent stocks, the replacement of infected parent stocks and the measures which the industry is taking to eliminate salmonella from breeding houses and poultry feed to reduce the problem to a level at which the introduction of a comprehensive programme of compulsory slaughterings would not have a seriously damaging effect on the industry's output. I believe that such action would have the effect of ensuring as far as is possible a planned transition to clean breeding stock without disruption to market supply while avoiding the risk of increased imports giving rise to dangers to public health over which we would have little control.

I am sending copies of this letter to the Prime Minister, the other members of MISC 138 and Sir Robin Butler.

A handwritten signature in black ink, appearing to read 'Malcolm Rifkind', is written over a pink circular stamp. The stamp has a diagonal line through it and contains some illegible text. The word 'over' is written in cursive above the signature.

MALCOLM RIFKIND

Food - Safety





DEPARTMENT OF HEALTH AND SOCIAL SECURITY

Richmond House, 79 Whitehall, London SW1A 2NS

Telephone 01-210 3000

ccp

From the Secretary of State for ~~Social Services~~ Health

NDPM 15/2517

The Rt Hon John Major MP
Chief Secretary to the Treasury
HM Treasury
Parliament Street
LONDON SW1

24 July 1989



Dear John,

SALMONELLA: ACTION ON POULTRY BREEDING FLOCKS

John MacGregor wrote to you on 3 July setting out his proposals for the next steps which he considers necessary to combat salmonella in poultry. As he indicates in that letter, officials in my Department were consulted and endorsed the approach in principle. I too endorse the proposals.

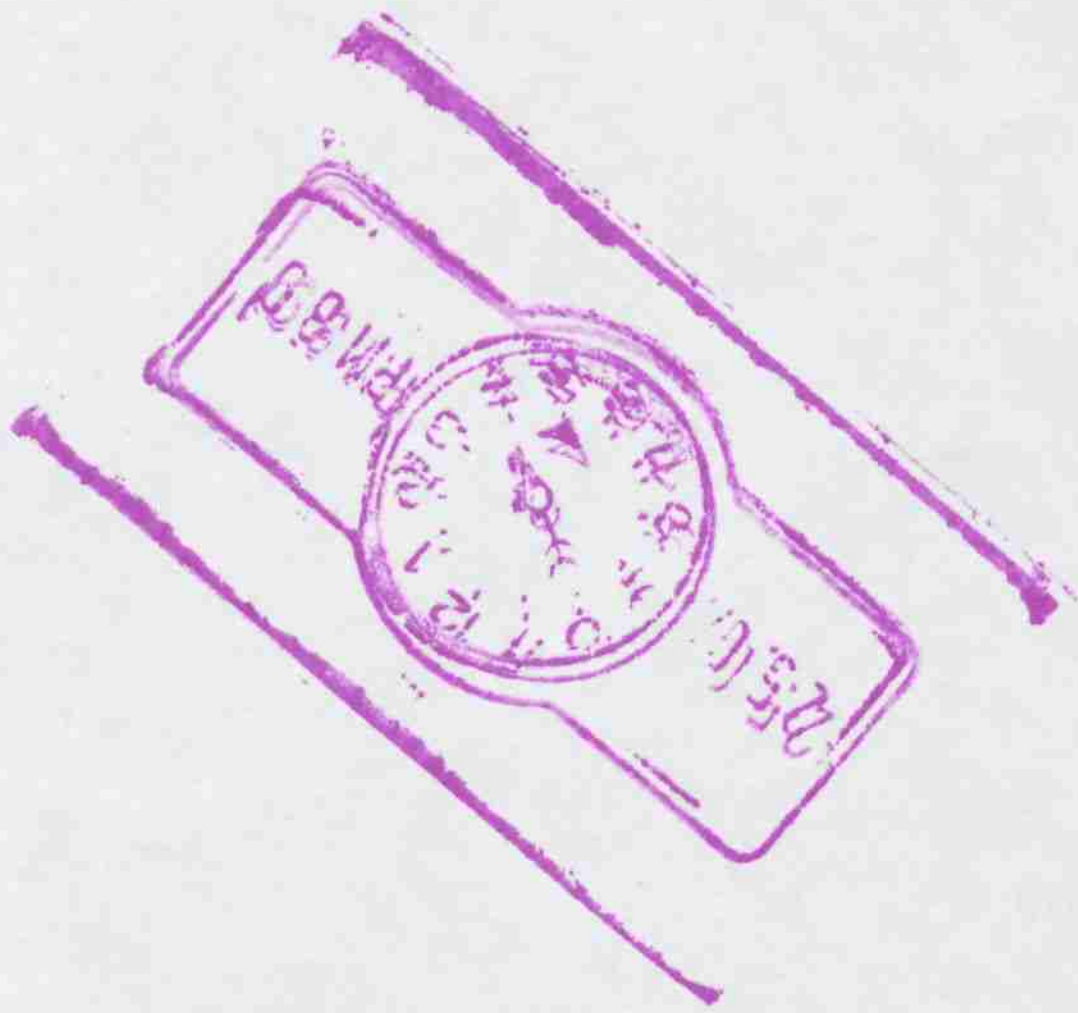
Prap

I am copying this letter to the Prime Minister, other members of MISC 138 and Sir Robin Butler.

John,

KENNETH CLARKE

Agriculture: Salmonella + Eggs, Dec 88





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JF 2017
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SCOTTISH OFFICE
WHITEHALL, LONDON SW1A 2AU

The Rt Hon John MacGregor
Minister of Agriculture Fisheries & Food
Ministry of Agriculture Fisheries & Food
Whitehall Place
LONDON
SW1

19 July 1989

Dear John

SALMONELLA: ACTION ON POULTRY BREEDING FLOCKS

I have seen your letter of ~~3~~¹⁹ July to John Major. I agree fully with your conclusion that there is a need to take action to reduce the incidence of salmonella in broilers and that the correct way of accomplishing this would be to remove infected broiler-breeder flocks. I also agree that this should be done through the introduction of a compulsory slaughter with compensation scheme as proposed in the paper enclosed with his letter.

I am however concerned that the immediate introduction of such a scheme could have far reaching economic effects on the broiler industry in the UK. The elimination of parent stock, which could not immediately be replaced, would result in an instant decrease in broiler production (120-160 broilers per parent bird). Loss of markets would follow and in some cases, given the low profit margin to which the industry works, closure could occur. Moreover, any shortfall in UK production would be met by imports. As no other Member State operates salmonella control measures such as we are introducing, the risk to public health would not have been reduced.

In your draft paper, you discuss an alternative approach which would permit the sale of eggs from infected flocks for hatching until the end of the laying period was reached. Action to clear salmonella would be taken at that time. I agree with your conclusion that in itself this alternative would not be an adequate response to the problem. However, if this were to be introduced as an interim measure with a compulsory slaughter scheme replacing it in, say, eighteen months time, it seems to me likely that this would not be inconsistent with our general aims while ensuring that the industry did not suffer sudden collapse. It would also be less costly to operate as the industry themselves would be bearing the costs of replacing stocks at the end of lay with birds tested free of salmonella. The number of birds subject to compulsory slaughter and compensation should be much reduced.

I would want to be very clear about the implications of such an approach, however, before concluding that it would be the right one and my officials are currently considering the details urgently. I will write to you again about this as early as possible next week.

HMP200L7.044

I am sending copies of this letter to the Prime Minister, the other members of MISC 138 and Sir Robin Butler.


MALCOLM RIFKIND

AGRICULTURE: Salmonella, Dec 88

20 JUL 1988

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AT
19/7*

Treasury Chambers, Parliament Street, SW1P 3AG

The Rt Hon John MacGregor OBE MP
Minister of Agriculture, Fisheries and Food
Whitehall Place
London
SW1A 2HH

18 July 1989

Dear Minister,

SALMONELLA: ACTION ON POULTRY BREEDING FLOCKS

Thank you for your letter of 3 July, enclosing a paper on this subject.

As you say, the public expenditure implications of your proposals, especially that in respect of broiler breeders, are most unwelcome. This is particularly so in view of the costs of the other measures which we have already agreed to tackle the salmonella problem, and in view of the long list of bids for domestic agriculture which you have submitted in this year's public expenditure Survey.

Nevertheless, I fully appreciate the food safety and public health concerns raised by salmonella, and, given our discussions earlier this year on the slaughter scheme for laying flocks, I assume that there is no scope at present for not offering compensation or for getting the industry to fund it. I am therefore content to agree to your proposals, subject to the following.

In respect of the likely costs in the current year, I cannot promise access to the Reserve at this stage, and, in view of the fact that you have undertaken to try to absorb the cost this year of the other salmonella measures, I should like you to consider and specify now what measures you intend to take to generate the necessary savings to cover the estimated £1.8 million cost.

In respect of the costs in future years, you propose yet another Survey bid. I should be grateful if you would look carefully at all your domestic agriculture bids, so that when we meet to discuss them you will be in a position to let me know the relative priority of this bid.

As you say in your letter, evaluation of the scheme is important, and I suggest that your officials agree an evaluation plan with mine as soon as possible, including whether the cost tails off as expected.

The values on which compensation for the slaughtered birds would be based should be the minimum defensible, and should be agreed between our officials.

The introduction of the scheme as you propose is without prejudice to the outcome of your review of the Animal Health Act (on which you are planning to report this month), and on the understanding that, if still necessary, the scheme could be changed if that review opened up the possibility of withdrawing compensation or getting the industry to fund it.

Finally, I sincerely hope that my agreement to this scheme will mean that there is no question in the future of paying compensation for compulsory slaughter for broiler flocks.

*

Yours sincerely,

P. Warner

PP JOHN MAJOR

[Approved by the Chief Secretary and signed in his absence]

* Copies go to Prime Minister, members of Misc 138 and Sir Robin Butler.

Agriculture Dec 88

Salmonella & Eggs.



B/F with
Treasury
response
AF 317
CWR

Ministry of Agriculture, Fisheries and Food
Whitehall Place, London SW1A 2HH

From the Minister

The Rt Hon John Major MP
Chief Secretary to the Treasury
Treasury Chambers
Parliament Street
London
SW1P 3AG

3rd July 1989

Dear John,

SALMONELLA: ACTION ON POULTRY BREEDING FLOCKS

I enclose a paper setting out my proposals for the next steps which I believe to be necessary to combat salmonella in poultry. With one small exception (see below) this is essentially identical to one already discussed by our officials.

There are three elements to the proposals; the possibility of slaughtering birds in appropriate cases in so-called "grandparent" flocks, the slaughter of infected layer-breeder flocks (where salmonella does not in practice seem to be much of a problem) and, most important, the elimination of infected broiler-breeder flocks.

I am particularly concerned about the third of these. Isolations of salmonella in broiler flocks are running at a substantially higher level than last year. I fear that if we do not act quickly we could be faced with a mounting public health problem, and possibly pressure to introduce compulsory slaughter in the broiler flock - which would be enormously expensive. By removing infected broiler-breeder flocks we would be controlling one important route by which salmonella infection reaches poultry being reared for consumption. I do not welcome the public expenditure consequences of doing this but the cost of the compulsory slaughter of broiler birds would be many times higher.

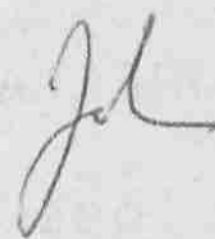
/I hope that...

I hope that you will be able to give your early agreement to the proposals set out in the paper, to which I attach great importance for the reasons I have already outlined. If the measure works, the cost of the slaughter programme should decline rapidly, and we will of course review it with your officials after an appropriate period of operation to ensure that it is working. As the paper makes clear, I must reserve the right to seek access to the Reserve by means of a spring supplementary as far as funding in 1989/90 is concerned; in addition, it will be necessary to make a bid in the PES to cover subsequent years.

Finally, I understand that officials at the Department of Health endorse this approach in principle, and that the paper sets out the same proposals as were contained in the note which my officials discussed with yours on 22 June, except that reference has now been made to the cost of disposal of the slaughtered birds, which was not initially covered.

/ I am sending copies of this letter to the Prime Minister, the other members of MISC 138, and Sir Robin Butler.

Yours ever,



JOHN MacGREGOR

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SALMONELLA IN POULTRY BREEDING FLOCKS

1. The objective of our policy on salmonella is to minimise the risk to public health by controlling its incidence in the poultry population. Naturally a secondary objective is to do so at least cost. The initial thrust of our policy has been to achieve these objectives through the elimination of infection where it is found in poultry flocks producing eggs for human consumption. These objectives could be frustrated if we do not now extend our existing programme to cover breeding flocks.

2. Although the Zoonoses Order 1989 provides for the slaughter, with compensation, of poultry of all kinds, the rates of compensation introduced on 1 March 1989 apply only to commercial laying hens, not to the more valuable breeding birds. Thus when salmonella infection is found in a broiler breeding flock in particular, we go no further than banning the sale for human consumption of eggs from that flock. The offspring of an infected breeding flock may still be used for further breeding or as broiler poultry so the risk of infected eggs reaching the food chain is not eliminated, and an important source of infection of broiler birds which could lead to pressure for a slaughter measure for broilers, persists.

3. The national breeding flock is not homogeneous. Different considerations apply to "Grandparent" flocks, and to the two classes of "parent" flocks, layer-breeders and broiler-breeders, which this note deals with in turn.

(a) Grandparent flocks

4. These are the carefully selected and maintained pure lines which are crossbred to produce the parent flocks. In both the laying and broiler sectors they have long been the subject of regular voluntary testing by the breeding companies. The majority are thought to be free of salmonella, and the chance of

a flock being infected with an invasive salmonella (i.e. s. enteritidis and s. typhimurium, which have the potential to be transmitted inside the egg) may not be great. However, if infection did occur compulsory slaughter might be an appropriate health measure in view of the importance of preventing transmission through the production chain, but the cost would be likely to be high. Grandparent birds may be valued at as much as £47 each. There are thought to be some 270,000 grandparent birds; even if 20,000 were slaughtered the cost could be over £500,000 with compensation paid at 60% of the healthy value.

5. In practice the owner of a grandparent flock, especially if it represented a unique line, might prefer to be allowed to keep the flock and breed it free of infection, which would not involve the payment of compensation. This would not be cheap or easy for the flock owner whose birds would have in the meantime to remain under strict control and whose production could not be sold for commercial production. It might nonetheless be a realistic option in grandparent flocks because the very much higher value of grandparent birds, and the way in which they are housed, may make it worthwhile to test and isolate individual birds or groups of birds in a way that would not be economically feasible in, for example, an ordinary commercial laying flock. This suggests that while we should have resort to compulsory slaughter where no alternative is judged to exist it would be appropriate, both in disease control terms and with regard to minimising exchequer expenditure, to retain the flexibility to judge each case on its merits and, where possible, to stop short of compulsory slaughter provided it entailed no public health risk.

(b) Parent flocks - Layer breeders

6. Layer-breeder parent flocks produce eggs to be hatched into laying birds producing eggs for human consumption. So far this year no layer-breeder flock has been confirmed as infected. However, if this were to happen (and there were two such reports last year) there would be no alternative but to slaughter the flock compulsorily since it would not be acceptable to allow

birds derived from such flocks to enter commercial laying flocks which are subject to compulsory slaughter if infected. Indeed, the owner of such a laying flock might seek to claim against the Ministry if we were shown to have knowingly allowed infected replacement birds to enter the flock. As well as slaughtering an infected layer breeder flock it would also be necessary compulsorily to destroy eggs from such a flock in the incubator. If no action was taken to destroy them some would hatch out (even if removed from the incubator, in some cases) and there would be an outcry on welfare grounds. In any event, the eggs should be destroyed to ensure that they did not enter the commercial egg market.

7. The national layer breeder flock is some $\frac{1}{2}$ million birds, and few flocks seem likely to be infected. As indicated above, no such infection has been found this year, but if four flocks (twice the number for 1988) of about 8,000 birds each had to be slaughtered, with compensation at 60% of the healthy value the cost might be around £135,000. The cost of compensation for the hatching eggs which would have to be seized and destroyed might be about £50,000, assuming compensation at 60% of value (see paragraph 13 below.) However, as a slaughter policy among layer-breeders would reduce the number of infected birds reaching the commercial laying flock, this expenditure could be expected - after a time-lag - to contain what would otherwise be the cost of our existing slaughter measure for infected laying birds.

- Broiler-breeders

8. Broiler-breeder parent flocks provide offspring which are grown on to produce table poultry. Up to now, when broiler breeder flocks have been found to be infected with an invasive salmonella we have served notices prohibiting the sale of their surplus eggs for human consumption but we have not restricted the movement of hatching eggs or chicks for broiler production and we have not slaughtered any flocks. The rationale has been that

invasive salmonellae are a particular problem in eggs because of the possibility of eggs not being treated in such a way as to destroy the infection, but they pose less risk in broilers as it is recommended that chicken is always thoroughly cooked before being eaten.

9. We have already published a code of practice about reducing the risk of salmonella infection among broilers. Nevertheless, it seems that the infection of broiler flocks with invasive salmonella is increasing; there have been 306 reported isolations in broiler flocks so far this year (to 2 June) compared with 276 in the whole of 1988. More significant, isolations have been reported in 55 broiler-breeder flocks so far this year compared with 10 in the whole of 1988, and the SVS believes that some 10-20% of broiler-breeder flocks may be infected. It is evident that the breeding flock is an important source of salmonella infection in broiler poultry; dealing with this infection in the breeding flock should reduce its incidence in poultry sold for human consumption and thereby forestall pressure, which is already mounting in advance of the usual increase in food poisoning observed in the summer months, for comprehensive action at the level of broiler flocks.

10. We therefore consider it essential to take action to eliminate infected broiler-breeder flocks. Estimates of the cost of doing so by means of a compulsory slaughter and compensation arrangement must be highly speculative, but assuming compensation were paid at 60% of the healthy value on 750,000 birds (15% of the national breeding flock or the mid-point of the range quoted above) distributed evenly across the age range, the cost in the first year might be £1.5 million.

11. We have considered an alternative strategy which would be both cheaper and carry with it less risk of market disruption. Where an isolation of invasive salmonella was found in a broiler breeder flock, notices would continue, as now, to be served prohibiting the sale of eggs from infected flocks for human consumption. The sale of eggs for hatching would however continue to be allowed until the end of the laying period, but

once the end of the laying period was reached and the birds had been slaughtered for human consumption no restocking would be allowed until the poultry house had been cleansed, disinfected and tested clear of salmonella. Restocking would have to be with birds tested free of salmonella. The cost of such an operation would be minimal as the cost of these operations would be borne by the producer. If, despite these precautions, a flock was again found to be infected soon after repopulation, compulsory slaughter of the birds at a young age could be considered since the risk of market disruption and the likely cost of compensation would be much less since the birds would be much younger and therefore worth less. The cost of compensation for 750,000 birds early in their lives would be some £350,000.

12. This second alternative would not be an adequate response to the problem. Even if all possible precautions were taken, it would not be possible to stop the continued supply of infected eggs to the broiler industry for the duration of the laying period, which could be up to a year, during which period the resulting infected poultry would still be getting through to the consumer. On the other hand the effects of a policy of immediate slaughter would be felt within weeks.

13. As far as the rate of compensation to be paid is concerned, all the above figures have been calculated on the basis of the basic rules applied to laying hens, ie 60% of assessed value. We do not consider that it would be possible to offer less than 60% of the value of the slaughtered birds. This figure was adopted after detailed discussion between Ministers regarding laying hens, and is already being challenged by some producers as not fulfilling the requirement of the Animal Health Act to compensate at the value at the time of slaughter. The Animal Health Act requires compensation for poultry to be paid on the basis of value at the time of slaughter, and the figure of 60% has been defended on the basis of the assumption that 40% of a flock would be infected on average. Similar arguments apply to eggs (see paragraph 7 above); under the Animal Health Act, we would not be required to pay compensation for eggs from diseased birds but we would be required to pay compensation for eggs from healthy birds and the same ratio would be applied.

14. Provision would need to be made for the disposal of the slaughtered birds. It is estimated that in the first year this would add some £200,000 to the costs of the operations described above.

15. Agreement is therefore sought to the following:

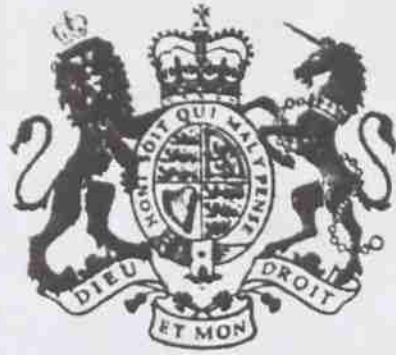
- (a) the extension of compulsory slaughter to any layer breeder flock where invasive salmonella infection is found, and to grandparent flocks where veterinary considerations indicate this to be necessary;
- (b) the extension of compulsory slaughter to broiler-breeder flocks found to be infected with salmonella; and
- (c) the payment of compensation in the above cases on the same basis as commercial layers recognizing that this value may be considerably higher than for birds in commercial laying flocks.

16. As indicated above, the total cost of these operations could in aggregate amount to some £2.4 million in the first full year of operation. If the measures work, their cost could be expected to fall in subsequent years as infected stock was removed. The extent of such a fall must be uncertain, but an annual reduction of 40-50% is a reasonable assumption. This suggests that the effect on expenditure over the period 1989/90 - 1992/3 might be as follows, if the new measures were introduced as early as possible in July.

		£ million			
		Financial Years			
Years of Operation	Cost (reducing by 45% p.a.)	1989/90	1990/91	1991/92	1992/93
1	2.40	1.8	0.6		
2	1.32		0.99	0.33	
3	0.73			0.54	0.19
4	0.40				0.30
		1.8	1.59	0.87	0.49

17. We do not have funds in the 1989/90 Estimates to cover additional programme expenditure nor can we rely on offsetting savings to meet it. We will review the prospects of obtaining offsetting savings at the end of 1989 but we must reserve the right to seek access to the Reserve by way of a spring supplementary. For subsequent years, it will be necessary to enter a further PES bid. As far as the effect on running costs is concerned, these must be a matter for speculation at this stage. But on the basis that the MAFF bid to cover extra SVS running costs in this year's PES is accepted, we would anticipate being able to absorb the additional work within existing resources.

18. As far as appraisal of these steps is concerned, the measures of achievement will be the level of food poisoning outbreaks in the human population associated with poultry products (although these may be distorted given the current heightened awareness of food safety issues) and the number of isolations in the various categories of poultry flocks. We are already following these closely and we will aim to produce an interim assessment of the effect of the measures now proposed a year after they are implemented.



file
MRH

10 DOWNING STREET

LONDON SW1A 2AA

From the Private Secretary

5 May 1989

Dear Ray

**SALMONELLA IN EGGS:
GOVERNMENT RESPONSE TO THE HOC AGRICULTURE COMMITTEE REPORT**

This is just to confirm my telephone conversation with your office yesterday when I said that we would prefer that the CFRs were not given to the Committee until the same time as they were given to the Press. I understand you are content with this.

I am copying this letter to Stephen Catlin (Lord President's Office), Murdo Maclean (Chief Whip's Office), Douglas Slater (Lord Whips' Office), Caroline Brock and Irene Wears (Department of Health), Moira Thompson (Scottish Office), Vaughan Watkins (Welsh Office) and Janet Johnston (HMSO Nine Elms).

Z -
Amy

P. A. BEARPARK

R. L. Alderton, Esq.,
Ministry of Agriculture, Fisheries and Food

h



Ministry of Agriculture, Fisheries and Food
Whitehall Place, (West Block), London SW1A 2HH
Tel: 01-270-3000 Direct line: 01-270- GTN: 270 - 8509
Telex: 889351 Fax: 01-270-8125

1000

P A Bearpark Esq.
Prime Minister's Office
10 Downing Street
London SW1A 2AA

3 May 1989

Dear Andy,

SALMONELLA IN EGGS

GOVERNMENT RESPONSE TO THE HOC AGRICULTURE COMMITTEE REPORT

see below

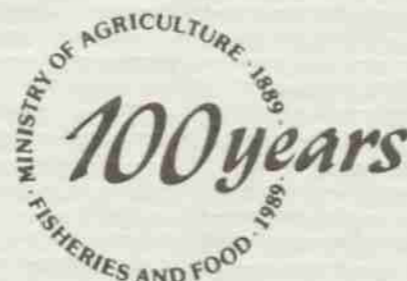
Thank you for your letter of 2 May. Mr MacGregor understands the reasons for your stated preference and accepts that we should not give the Agriculture Committee access to the Governments response over a weekend. He does feel obliged however to show the Agriculture Committee the normal courtesies and provide it with copies some 24 hours in advance of publication. The intention is, therefore, to provide copies to the Agriculture Committee at 5:30pm on Monday 8 May, with publication taking place at 3:30pm on Tuesday 9 May.

I am copying this letter to the recipients of yours.

Yours sincerely,

Ray Alderton

R L Alderton
Parliamentary Clerk



AGRICULTURE:

Salmonella in Eggs

Dec '88





Cole SA

10 DOWNING STREET

LONDON SW1A 2AA

From the Private Secretary

2 May 1989

**SALMONELLA IN EGGS
GOVERNMENT RESPONSE TO THE HOC
AGRICULTURE COMMITTEE REPORT**

We spoke about your letter of 2 May and I explained that I would prefer the CFRs to be given to the Agriculture Committee on Monday 8 May at 1000 hours, ie. at the same time they are given to the press.

I am copying this letter to Stephen Catlin (Lord President's Office), Murdo Maclean (Chief Whip's Office), Douglas Slater (Lord Whips' Office), Caroline Brock and Irene Wears (Department of Health), Moira Thompson (Scottish Office), Vaughan Watkins (Welsh Office) and Janet Johnston (HMSO Nine Elms).

P. A. BEARPARK

R. L. Alderton, Esq.,
Ministry of Agriculture, Fisheries and
Food

EA



Ministry of Agriculture, Fisheries and Food

Whitehall Place, (West Block), London SW1A 2HH

Tel: 01-270-3000 Direct line: 01-270- GTN: 270 8509

Telex: 889351 Fax: 01-270-8125

Andrew Bearpark Esq
Prime Minister's Office
10 Downing Street
London SW1

2 May 1989

Dear Andrew,

SALMONELLA IN EGGS

GOVERNMENT RESPONSE TO THE HOC AGRICULTURE COMMITTEE REPORT

As you know the Government's response to the Agriculture Committee Report on Salmonella in Eggs was agreed by MISC 138 in correspondence. The Command Paper which forms the response is now being printed and we will be in a position to submit it to the Agriculture Committee later this week. My Minister is concerned however that the response should not be subject to 'selective' leaking in advance of Thursday 4 May. To avoid this possibility, as far as is possible, my Minister does not wish to supply confidential final revise copies (CFRs) to the Committee until 12.00 noon on Friday 5 May. We would then hope to publish the Response at 3.30pm on Monday 8 May; one week after the two month 'deadline' for responses to Select Committee Reports. Publication will be announced by means of an inspired PQ and MAFF News Release. The press will receive *embargoed* CFR copies at 10.00am on the day of publication.

/As we wish ...



As we wish to submit CFR copies to the Agriculture Committee more than 48 hours in advance of publication, HMSO require confirmation that No 10 is content with the arrangements. I should be grateful if you would supply this confirmation.

+ I am copying this letter to Bernard Ingham (No 10), Stephen Catlin (Lord President's Office), Murdo MacLean (Chief Whips Office), Douglas Slater (Lords Whips Office), Caroline Brock and Irene Wears (Department of Health), Moira Thompson (Scottish Office), Vaughan Watkins (Welsh Office) and Janet Johnston (HMSO - Nine Elms).

Yours sincerely,

Ray Alderton

R L Alderton
Parliamentary Clerk

SWYDDFA GYMREIG
GWYDYR HOUSE
WHITEHALL LONDON SW1A 2ER
Tel. 01-270 3000 (Switsfwrdd)
01-270 (Llinell Union)



NBPH
AT
24/4

CCPH
WELSH OFFICE
GWYDYR HOUSE

WHITEHALL LONDON SW1A 2ER
Tel. 01-270 3000 (Switchboard)
01-270 (Direct Line)

From The Secretary of State for Wales

Oddi wrth Ysgrifennydd Gwladol Cymru

The Rt Hon Peter Walker MBE MP

CT/4311/89

25 April 1989

Mr Gub
I have seen your recent minute to the Prime Minister enclosing a draft of the consultation paper on cracked eggs. I am content for the paper to be issued as it stands.

/ I am copying this letter to members of MISC 138 and to Sir Robin Butler.

A large, stylized handwritten signature in black ink, appearing to read 'John MacGregor'.

The Rt Hon John MacGregor OBE MP
Minister of Agriculture Fisheries and Food
MAFF
Whitehall Place
LONDON SW1A 2HH

25. IV. 1949

cc/lu



SWYDDFA GYMREIG
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Tel. 01-270 3000 (Switsfwrdd)
01-270 (Llinell Union)

WELSH OFFICE
GWYDYR HOUSE
WHITEHALL LONDON SW1A 2ER
Tel. 01-270 3000 (Switchboard)
01-270 (Direct Line)

Oddi wrth Ysgrifennydd Gwladol Cymru

From The Secretary of State for Wales

The Rt Hon Peter Walker MBE MP

CT/4317/89

24 April 1989

NBSM AS 24/4

**SALMONELLA IN EGGS:
RESPONSE OF THE GOVERNMENT TO THE AGRICULTURE COMMITTEE'S
REPORT**

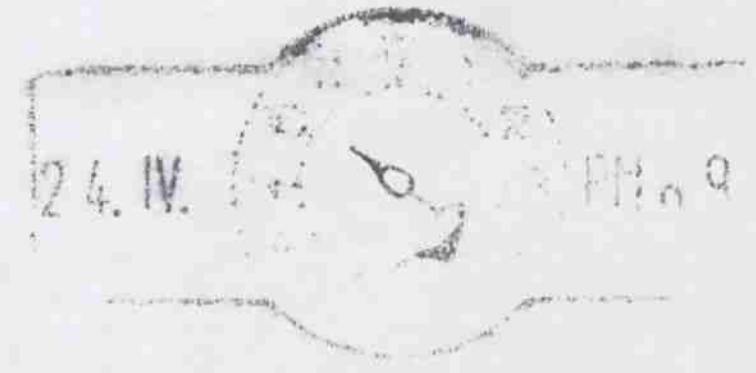
Thank you for copying to me your minute of 17 April to the Prime Minister enclosing a copy of the proposed response.

I am writing to confirm that I am content with the response as drafted.

Copies of this go to other members of MISC 138 and to Sir Robin Butler.

The Rt Hon John MacGregor OBE MP
Minister of Agriculture Fisheries and
Food
Ministry of Agriculture Fisheries and
Food
Whitehall Place
LONDON SW1A 2HH

AGRICULTORS: Salmoner, Dec 88





Ceter

Prime Minister

*NDPM
AT
21/4*

**SALMONELLA IN EGGS: RESPONSE OF THE GOVERNMENT
TO THE AGRICULTURE COMMITTEE'S REPORT**

Papers will be AT
I have seen John MacGregor's minute to you of 17 April covering a draft response to the Agriculture Committee's report.

I agree the terms of the response and that it should be published as a White Paper.

I am copying this minute to other members of MISC 138 and to Sir Robin Butler.

MR

M R

20 April 1989



file DS3AII

10 DOWNING STREET

LONDON SW1A 2AA

From the Principal Private Secretary

20 April 1989

SALMONELLA IN EGGS: RESPONSE TO SELECT COMMITTEE

The Prime Minister has seen the draft response to the Agriculture Committee's report attached to your Minister's minute of 17 April and was broadly content with it.

She felt the speed of response to Mrs Currie's remarks could be brought out more clearly if it was shown that these were made on a Saturday and the Secretary of State for Health responded on the Monday. I attach a suggested redraft of paragraph 11.

The Prime Minister felt that paragraph 47 was ambiguous. It would be clearer to say that consumers should not be expected to shoulder responsibilities for preventing food poisoning which properly lie with food producers.

The Prime Minister felt that the discussion on departmental co-ordination in paragraph 56 protested too much and went into too much detail which might give the Select Committee an opening for calling for further evidence. It might be better simply to rely on a slightly expanded paragraph 57.

I am copying this letter to the Private Secretaries to members of MISC 138 and Sir Robin Butler.

ANDREW TURNBULL

Stephen Lambert, Esq.
Ministry of Agriculture, Fisheries and Food

REDRAFT OF PARAGRAPH 11

On Saturday 3 December 1988 the then Parliamentary Under-Secretary of State to the Department of Health said on television that "we do warn people now that most of the egg production of this country, sadly, is now infected with salmonella". Extensive and alarming publicity was given to this statement by the media. Once this had occurred, the Secretary of State for Health, in response to a Private Notice Question from Sir Hal Miller on Monday 5 December, immediately made the Government position absolutely clear. Substantial publicity was given to the statement he made in the House. The public were left in no doubt of the Government's advice on the risk of infection. Subsequently, whole page advertisements were taken out in national newspapers to ensure that it reached the widest possible audience.



10 DOWNING STREET

LONDON SW1A 2AA

From the Principal Private Secretary

19 April 1989

Dear Stephen,

CRACKED AND DIRTY EGGS

The Prime Minister has seen the draft consultation document attached to your Minister's undated minute. She was generally content that this should be published subject to two points. First, she was worried about the lack of a tolerance provision which could put small producers in a more vulnerable position than large producers. In particular, the proverbial Mrs. Smith could be at the whim of an over-zealous enforcement officer. The Prime Minister would be grateful if more work could be done to see if some common sense solution could be devised, though this need not delay publication of the document.

Secondly, she thought the drafting of paragraph 2 would be clearer if it read:

'regulation EC 2772/75 provides that eggs have to be graded and packed by packers who are registered and these packers are prohibited from selling eggs which are cracked, are dirty or have been washed. But its provisions

I am copying this letter to the Private Secretaries to Members of MISC 138 and Sir Robin Butler.

Yours sincerely
Andrew Turnbull

ANDREW TURNBULL

Stephen Lambert, Esq.,
Ministry of Agriculture, Fisheries and Food

PRIME MINISTER

SALMONELLA IN EGGS

Mr. MacGregor has circulated a draft of the Government's response to the Agriculture Committee's report on Salmonella in eggs. Both Cabinet Office and Ms. Sinclair (see attached note) agree that the response is well judged, confining itself mainly to a factual explanation of what the Government has done to tackle Salmonella and contesting, in a reasoned manner, the accusations of dilatoriness.

There is only a single low key paragraph (paragraph 11) about Mrs. Currie. Bernard has suggested some drafting changes to bring out more clearly that the Government did respond quickly to her remarks. His changes also avoid the impression that the advertisements came out immediately.

Other points to note are:

- (i) The admission that controls for imported animal protein might have been introduced earlier (paragraph 16). The only point on which the Ministry concedes that a mistake has been made.
- (ii) There is a reference in paragraph 44 to "next Sessions food Bill". This is to be discussed by Ministers on 2 May. The tone of the paragraph suggests a rather humdrum approach to legislation. But this is not the place for announcing new policy and it does not appear to pre-empt decisions.
- (iii) A discussion of departmental co-ordination in paragraph 56 seems to protest too much and to go into too much detail which might give the Select Committee an opening

for calling for future evidence. It might be better
simply to rely on a slightly expanded paragraph 57. ✓

(iv) The comment of paragraph 26 has a rather producerist
tone which needs to be looked at. *Not too bad,*

(v) Ms. Sinclair has suggested a drafting change to
paragraph 47. *Agreed ms*

Agree the report to be published straight away subject to the
points above?

AT

Yes ms

ANDREW TURNBULL

19 April 1989

KAYAUJ

P 03419

From: R T J Wilson
19 April 1989

MR TURNBULL

SALMONELLA IN EGGS

1. I have no major comments on Mr MacGregor's two recent minutes. *file with AT*


2. The draft reply to the Agriculture Committee seems well-judged, confining itself mainly to a factual explanation of what the Government has done to tackle salmonella. There is only a single low-key paragraph (paragraph 11) about Mrs Currie which, subject to any views which Bernard Ingham may have, would seem to me to minimise the risk of media attention to this aspect. For the rest you may wish to note:

i. the admission that controls for imported animal protein might have been introduced earlier (paragraph 16). So far as I can see this is the only point on which the Ministry concedes that a mistake has been made.

ii. the reference to 'next Session's Food Bill' in paragraph 44, which Ministers are due to discuss on 2 May. The tone of the paragraph suggests a rather pedestrian approach to legislation. But this is not the place for announcing new policy, and it does not appear to pre-empt decisions.

iii. the discussion of departmental co-ordination in paragraph 56 which seems to me to protest too much and to go into too much detail which might give the Select Committee an opening for calling for future evidence. I would have thought that it might be better simply to rely baldly on the line in paragraph 57.

It is clearly important that the reply should not give the impression of a Department which is in the pockets of producer interests. There are one or two passages (for instance the end



of paragraph 26) which have a slight flavour of this but it is not very strong.

3. The consultation document on cracked eggs is broadly in line with the policy agreed in MISC 138. It was however suggested at the last meeting that any new regulations on cracked eggs should contain similar tolerance limits to those contained in the EC regulations which apply to graded eggs. However, Mr MacGregor now says that he has been advised that tolerance limits of this kind would probably be ultra vires the Food Act 1984. The Prime Minister may nevertheless wish to ask Mr MacGregor to explore with the Home Secretary and the Attorney General the scope for including some other proviso (possibly a due diligence defence) to protect the small retailer who inadvertently sells an egg which may, perhaps, have been cracked by a previous customer.

R.T.J.

R T J WILSON

19 April 1989

CONFIDENTIAL

PRIME MINISTER

18 April 1989

THE GOVERNMENT'S RESPONSE TO THE
AGRICULTURE COMMITTEE'S REPORT ON SALMONELLA IN EGGS

John MacGregor has circulated a draft Government response to the Select Committee's report on salmonella in eggs.

The Select Committee Report

The report is good, and was generally well received when it appeared. The main conclusions and recommendations are at Annex A. Key points are:

- The risks from eating eggs are such that normally healthy people need not be concerned;
- But it is right that the Government should take action in the face of food poisoning figures (particularly of cases of S. enteritidis PT4) which are still rising.
- Mrs Currie's original statement on 3 December was unsupported by evidence. It should have been corrected immediately.
- The Government was right to intervene to stabilise the egg market following Mrs Currie's statement. The Ministry of Agriculture acted skilfully in this area.
- In most others, they acted too slowly and only in response to pressure.
- In particular, they should not have allowed eggs from suspect farms to enter the food chain. (This did not stop until late January).
- They should not have waited for a public health scare over eggs to obtain powers to stop animal feed from contaminated processing plants entering the food chain.

CONFIDENTIAL

- The egg industry were guilty of foot-dragging in 1988. Too much regard was paid to their views initially, and as a result time was lost in acting to reduce salmonella in eggs.
- The Select Committee broadly endorse the programme of action which the Government has now launched, subject to some enhancements.

Comment

The report blames the Government for not having nipped the effect of Mrs Currie's words in the bud. For the rest, its fire is mainly directed at the Ministry of Agriculture.

Its criticisms are justified. The Ministry has a history of foot-dragging on public health issues which would involve conflict with producer interests. For the past five years the Chief Medical Officer was held annual meetings with the Permanent Secretary at the Ministry of Agriculture. The same list of issues, including the growing incidence of salmonella poisoning during the 1980s, has been regularly reviewed. Sir Donald Acheson says that in the past he was met with polite stonewalling. But following Mrs Currie's remarks and the ensuing fuss, the Ministry attitude changed completely. It is they who rushed forward with the proposed bans on green top milk, and cracked and dirty eggs.

Ministry of Agriculture officials are not attuned to putting consumer interests first. They are steeped in a tradition of close and regular contact with food producers and processors. Their inept handling, initially, of the food safety leaflet illustrates a lack of political sensitivity and awareness of the important issues.

CONFIDENTIAL

The Department of Health do not escape all criticism. The Committee recommends that they should do more to encourage systematic reporting of infection. And they share some of the blame levelled by the Committee at the slow progress of the joint MAFF/DoH/Egg Producers Working Group. But on the whole, they escape lightly compared to the Ministry of Agriculture.

The Government's response

The draft White Paper has been prepared jointly by Kenneth Clarke and John MacGregor. It is a well-written statement of what the Government is now doing about the problem of salmonella in eggs. It does not waste time blustering over the Select Committee's criticisms. But nor does it admit that they were well-founded. On only one point - tighter controls on imported eggs - does the Ministry of Agriculture say that it might have acted sooner.

How will the White Paper be received?

The timing of the various animal health measures set out in the White Paper will confirm the Select Committee's criticism that the Ministry were slow to act to defend consumer interests (compared with their swift action to stabilise the egg market in December). Those who feel that food safety matters should not be in the Ministry of Agriculture's hands will not be greatly reassured. But, subject to one drafting change, the paper will do if the aim is to get eggs out of the way.

Drafting change

Para 47 says: "We endorse the Committee's view that the role of consumers in food safety should not be exaggerated".

✓ This is ambiguous. What the Committee said was that consumers could not be expected to shoulder responsibilities for preventing food poisoning which properly lay with food producers.

The White Paper should find a way of saying this. ✓

CONFIDENTIAL

Comment

The Government can either:

- (1) publish the White Paper as drafted, subject to the drafting change suggested above;
- (2) publish it substantially as drafted, but add a reference to the forthcoming Food Bill to show that the Government has a wider strategy towards food safety.
- (3) hold up the response to the Select Committee and incorporate it in a wider-ranging White Paper on Food Safety and the Food Bill, say in June.

When food safety issues dominated the press every day, the Government gave the impression of not being fully in control. That was damaging. No amount of government action can eradicate germs and bacteria altogether. But the Government does need to give the impression that it has credible arrangements for dealing with new infections or dangers, and for ensuring cleanliness and hygiene at all stages in the food chain.

If we had a clear blueprint for such arrangements, there would be much to be said for option (2) or (3). This would be a good moment to assure people that the Government had a clear strategy in this area which involved putting public health (not producer interests) first.

But we do not have such a blueprint. The Ministry of Agriculture are only beginning to think how the Food Bill, which was largely conceived some years ago, can be freshened up to look like a credible response to this year's problems.

CONFIDENTIAL

And such a blueprint needs thought. Is the Ministry of Agriculture credible as one of the main players in food safety matters?

Conclusion

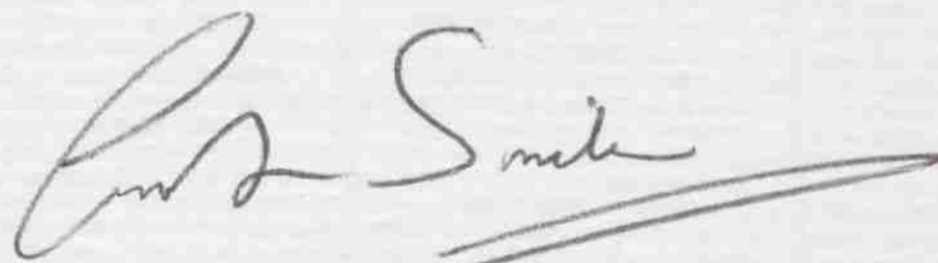
The best course in these circumstances is Option 1 - to publish the White Paper as it stands, subject to the drafting change. The Government's future strategy on food safety can be considered in conjunction with the Food Bill (due to be discussed in MISC 138 on 2 May).

The White Paper assumes that there will be a consultation paper on cracked and dirty eggs. A separate note advises you that this can now go ahead.

Recommendation

Agree in correspondence that the reply to the Select Committee can be published, subject to the drafting change proposed for para 47.

Y
Yes



CAROLYN SINCLAIR

the whole industry or argue, as some have tried to, that producers generally "got their come-uppance". **We do not think this case bears close analysis.**

108. We would balance this conclusion with a warning. **The Government in general and MAFF in particular have some leeway to make up in convincing the public that they have the interests of the consumer at heart.** It may cost them money to do so. Unlike most select committees, whose recommendations for additional Government expenditure fall on stony ground, we can clearly point to where that money might come from. The Government has been prepared to spend £19 million stabilising the egg industry and has paid out only a small proportion of that. Public money allocated for one purpose cannot, of course, simply be diverted to another. **But we believe there would be widespread scepticism about the Government's priorities if it was now parsimonious in dealing with the salmonella problem as it directly affected the consumer.** We have reviewed the Government's programme for action in Part IV above: **we urge it to make funds readily available to ensure the programme's success.**

VIII. THE GOVERNMENT'S FUTURE STRATEGY

109. The salmonella debate has led some people to call for a restructuring of Government departments, with responsibility for food safety being vested in one Ministry. The focus of our inquiry has been too narrow to enable us to comment authoritatively on this issue; but we would expect such calls to intensify unless DoH and MAFF can be shown to co-operate more smoothly on problems associated with food poisoning. **To this end, we recommend that a joint forum of both departments meet not less than quarterly under the chairmanship of a Minister to review current food safety issues and consider any actions that may be necessary.**

110. We welcome the announcement, made after our programme of evidence was completed, that a committee of experts under an independent chairman is to report regularly to Ministers on the microbiological safety of food. This body will have an important role to play, particularly if the public is satisfied—

- (a) that its independence is genuine; and
- (b) that its main findings will be published.

The Government should give assurances on both these points.

111. **We believe the public is entitled to expect the Government to take, and be seen to take, all reasonable measures to ensure the safety of food.**

IX. SUMMARY OF MAIN CONCLUSIONS AND RECOMMENDATIONS

112. Our Report has addressed a number of questions which have concerned Members of the House and the general public. We would summarise our answers to these questions as follows:

(i) **How safe are eggs?**

The risks to individual consumers cannot be quantified exactly, but given that the likelihood of an egg being infected with salmonella is very small, and the likelihood of the infection not being destroyed by cooking is even smaller, **normally healthy people should feel no cause for concern.** Those who consume uncooked eggs or uncooked egg dishes should be aware that these carry a slight risk. Care should be taken to cook eggs thoroughly for vulnerable groups, in line with the Chief Medical Officer's advice (paragraphs 15 and 29).

(ii) **How serious is the public health problem?**

The present steep rise in cases of *S. enteritidis* PT4 food poisoning must give cause for concern. We understand why the Chief Medical Officer has described the problem as serious, but concur with him that the word "epidemic", as commonly understood, should not be applied to the situation (paragraphs 10 and 14).

(iii) How did the Government respond to the problem in 1988?

The Government took a number of steps to deal with the problem before Mrs Currie's statement of 3 December, but more should have been done sooner.

In particular:

- (a) new codes of practice were prepared too slowly (paragraph 90);
- (b) MAFF should not have allowed eggs from farms responsible for food poisoning outbreaks to enter the food chain (paragraph 91);
- (c) earlier advice on cooking eggs should have been issued to the public (paragraph 92);
- (d) there was a delay in initiating necessary research (paragraph 94).

Although the role of protein feed in the present outbreaks should not be exaggerated, levels of contamination in domestic and, even more, in imported feed are unacceptably high. It is a severe criticism of MAFF that a public health problem in eggs was required before they saw fit to act (paragraphs 53 to 63).

We believe that representatives of the egg industry were guilty of heel-dragging in 1988. Their conduct was not motivated by sufficient concern for the consumer (paragraphs 20 and 95).

(iv) What was the significance of Mrs Currie's role?

We found no evidence to support Mrs Currie's assertion that "most egg production" was infected with salmonella. That statement should have been immediately corrected. It was a failure of Government and not just of a single Minister, that it was not corrected (paragraphs 28 and 96 to 102).

(v) Was the intervention spending announced in December 1988 necessary?

We believe that, in the circumstances, the intervention spending was necessary. The Minister of Agriculture deserves credit for a skilfully constructed package (paragraphs 103 to 107).

(vi) What further action should the Government take?

Salmonella is a complex problem. Eradication is extremely difficult. A range of factors have contributed to the present outbreaks and measures must be taken across the board to reduce them. We review the Government's plan of action in Part IV above and make recommendations for enhancing it by, in particular:

- (a) placing greater emphasis on research and providing adequate resources for it (paragraphs 34 to 41);
- (b) developing less haphazard procedures for tracing food outbreaks to source (paragraphs 42 to 47);
- (c) expediting the statutory monitoring of all breeding and laying flocks, with compensated slaughter where necessary (paragraphs 48 to 50, 64 to 67 and 74);
- (d) acting to reduce contamination in animal feeding stuffs (paragraphs 53 to 63);
- (e) ensuring that catering establishments practise proper hygiene standards and use pasteurised eggs in all uncooked egg dishes (paragraphs 77 to 80);
- (f) promoting better hygiene in the home through a properly funded campaign (paragraphs 81 to 86).

We welcome those steps which the Government has taken during the course of our inquiry and expect that, with full implementation of the above recommendations, public confidence can be restored in the safety and purity of eggs.

PRIME MINISTER

Agreed

ms

Prime Minister
(i) Content with draft document with
(ii) suggested amendment?
(iii) Agree further work be done on way
of operating with a degree of tolerance?
18 April 1989 →

AT 18/4

CRACKED AND DIRTY EGGS

John MacGregor has circulated another version of his draft consultation document on cracked and dirty eggs.

It is getting shorter, and more realistic.

The consultation paper seeks views:

- i. on the proposal to ban sales of cracked eggs at the 'farm gate';
- ii. on the desirability and feasibility of banning sales of dirty or washed eggs.

On (i) it has not been possible to come up with a tolerance limit because of legal problems. This means that small egg producers would be under stricter rules than large ones, who benefit from the 4% tolerance limit for cracked eggs under EC regulations.

On (ii) the Government avoids proposing unworkable legislation, and simply asks for views on the desirability and feasibility of banning sales of dirty and washed eggs.

Labelling of eggs has been dropped. It has been discovered that the only eggs which are allowed to be sold unmarked are those sold direct from producer to consumer (eg Mrs MacTavish to Mrs Smith). It was agreed in MISC 138 that labelling could be unduly onerous as far as small producers are concerned. This view is reflected in the White Paper giving the Government's response to the Select Committee Report.

Unlabelled eggs sold in markets are illegal. This breach of the law needs to be pursued separately.

Conclusion

It is a pity that it has not been possible to find some tolerance limit on cracked eggs for small producers. MAFF should be urged to look again at this. But, this need not prevent the consultation document from going out.

It would be ridiculous if Mrs Smith were prosecuted by an overzealous EHO for one cracked egg.

Agreed mb

Recommendation

- The consultation document should now be published.
- But MAFF should look again to see whether some tolerance limit can be established for sales of cracked eggs by small producers.

Agreed mb



CAROLYN SINCLAIR



WVPM

BT

19/4

cepu

Prime Minister

CRACKED AND DIRTY EGGS

I have seen John MacGregor's minute to you covering, as agreed by MISC 138 on 22 March, ^{file with ATAT} a draft consultation document on a proposal to prohibit the sale of cracked eggs. The document also seeks views on the desirability of introducing similar legislation in respect of dirty and washed eggs while at the same time explaining the difficulties involved in enforcing such a requirement.

I agree the terms of the document. I shall arrange for a similar document to be issued to interested organisations in Scotland, where we will require to produce an identical regulation under our Food and Drugs (Scotland) Act 1956.

I am copying this minute to members of MISC 138.

MR

M R

18 April 1989



Ministry of Agriculture, Fisheries and Food
Whitehall Place, London SW1A 2HH

From the Minister

PRIME MINISTER

SALMONELLA IN EGGS : RESPONSE OF THE GOVERNMENT TO THE AGRICULTURE
COMMITTEE'S REPORT

In consultation with Kenneth Clarke I have prepared the attached response to the Agriculture Committee's report. It would be appropriate for this to be published as a White Paper; and we should aim to achieve this within the customary two months period following the issue of the report. That would require publication not later than 2 May. We would be vulnerable if we failed to meet this deadline in response to a report that the Committee had produced with remarkable speed - within three weeks of the last public hearing of evidence. To permit this I hope that colleagues will be content to clear the draft by correspondence - and would let me have comments not later than midday Friday 21 April.

I am copying this to other members of MISC 138 and to Sir Robin Butler.

17 April 1989

JOHN MacGREGOR

SALMONELLA IN EGGS

RESPONSE OF THE GOVERNMENT TO THE FIRST REPORT FROM THE AGRICULTURE COMMITTEE 1988-89 SESSION

Introduction

1. The Government have considered the Report of the House of Commons Agriculture Committee "Salmonella in Eggs". This Memorandum sets out the Government's response to the Committee's main comments and recommendations.

2. The Government welcome and endorse the Committee's lucid analysis of the extent and implications of the present problem. The Committee have rendered an important service to the public by putting the problem of infection into proper, and in the Government's view correct, perspective and refuting the more extreme and alarmist impressions, which had been given publicity.

3. The Committee's Report shows the complexity of the problem of salmonella infection and the number of inter-related factors involved, and points to the unanimous view of experts that salmonellas are organisms which cannot be eradicated altogether. Indeed the Committee's report endorses the World Health Organisation's judgement of salmonella made in 1988. This says:-

"There is no other zoonosis as complex in its epidemiology and control as salmonellosis. Epidemiological patterns differ greatly between geographical areas depending on climate, population density, land use, farming practices, food harvesting and processing technologies, and consumer habits. Moreover, the biology of salmonella serovars differs so widely that discussions on salmonellosis, salmonella infections, or salmonella contamination are inevitably complex."

Salmonella enteritidis is an international problem. It exists in several Member States of the European Community and the USA.

4. We welcome the Committee's endorsement of the Government's strategy based on a range of initiatives designed to control the disease and achieve the best possible standards in the industry.

Government Statements on the Risk of Salmonella Poisoning

5. Following the Committee's Report, the Government have carefully considered again whether earlier or different advice should have been given to consumers about the risk of salmonella contamination in eggs.

6. It remains our opinion that it would have been imprudent to take earlier steps to warn the public in view of the insufficiency of the available evidence. Warnings about foodstuffs should only be given when the scientific evidence is clear and properly established. This is particularly relevant when dealing with a staple item of diet. Issuing advice without a sufficient basis would not only alarm the public unnecessarily but also weaken the force of public health warnings when these are clearly necessary.

7. The possible link between eggs and the increase in salmonellosis emerged late in 1987, but could not be confirmed until further epidemiological work had been undertaken. The Public Health Laboratory Service were undertaking a range of studies over the intervening period. A substantial interval is often inevitable between the occurrence of an outbreak of food poisoning and the determination of its cause and source. As work progressed it was possible to build up a pattern of epidemiological evidence to support earlier hypotheses and this culminated in the action taken in the summer of 1988.

8. So far as uncooked eggs are concerned, the Department of Health issued advice to the National Health Service on 29 July 1988 because of the particular vulnerability of patients, but in the same letter NHS Managers were asked to ensure that the advice was brought to the attention of those responsible for the provision of care in other institutions. This action was in line with a recommendation from the Public Health Laboratory Service that the Department of Health should

urgently consider advising the replacement of raw shell eggs with pasteurised eggs for recipes in institutions with high risk groups. Similar advice was issued in Scotland at slightly different times.

9. The Government then considered the need for a general warning to the public to avoid eating raw eggs or dishes made from them. Discussions were held between the Department of Health, the Agriculture Departments and the industry, and further evidence and advice was obtained from the Public Health Laboratory Service. In the light of these, advice to the public was issued by means of a Press Notice on 26 August 1988. We consider that, in the circumstances, an interval of one month between issuing catering advice to the National Health Service and advising the public to avoid eating raw eggs was reasonable.

10. Advice about the risks associated with lightly cooked eggs was not issued until 21 November 1988 because the scientific evidence to incriminate such eggs was insufficient to justify such an announcement before that date. That advice was that it is always safest to cook any food thoroughly and eggs were no exception to this general rule.

Saturday

11. On ^{*Monday*} 3 December 1988 the then Parliamentary Under-Secretary of State to the Department of Health said on television that "we do warn people now that most of the egg production of this country, sadly, is now infected with salmonella" ^{*Extensive and alarming publicity*} ^{*Undue emphasis*} was given to this statement by the media, ^{*once this had occurred*} even though the Secretary of State for Health, in response to a Private Notice Question from Sir Hal Miller on ^{*Monday*} 5 December, immediately made the Government position absolutely clear, ^{*and*} ^{*Subsequently*} substantial publicity was given to the statement he made in the House. The public were left in no doubt of the Government's advice on the risk of infection, and whole page advertisements were taken out in national newspapers to ensure that it reached the widest possible audience.

12. The Government are concerned that the Committee's view on the safety of eggs, as set out in paragraph 29 of the Report, may inadvertently give the impression that normally healthy people can without risk eat raw eggs or uncooked dishes made from them. The Government's advice has been, and continues to be, that everyone should avoid eating uncooked eggs or uncooked egg products unless they are made from pasteurised egg, while the present risk of infection continues. Although we have indicated that the risk of illness to healthy individuals is very small, a risk exists.

Animal Health Measures

13. The Government have adopted a comprehensive package of measures to tackle the salmonella problem at every point in the chain from the poultry feed manufacturer through the breeding flock and the hatchery to the laying flock and within the home. Substantial progress has been made in introducing and implementing these measures.

14. As a result of extensive consultations with those concerned initiated last summer, a Code of Practice for poultry breeders and hatcheries in the Poultry Health Scheme was announced on 5 December; a Code for poultry breeders and hatcheries outside the Poultry Health Scheme was announced on 8 December; a Code of Practice for commercial laying flocks was announced on 9 December; and a Code for broilers was announced on 20 January. In addition, guidelines for the control of salmonella in the production of final feeds were issued on 13 December and more detailed Codes of Practice will be published shortly.

15. An Order was made on 2 February to enable the Ministry of Agriculture, Fisheries and Food to stop the supply of products for animal feeds from protein processing plants where salmonella has been found; this power is already being exercised. This measure builds on an active programme of inspections of hygiene in protein processing plants, which has brought about a steady reduction in contamination in such plants in recent years. Since December 1988 the rate of sampling of protein processing plants has furthermore been doubled from 10 to 20 days each year. A further Order requiring protein

processors to take samples from each day's output and to notify the Ministry of the results was made on 13 April.

16. New and more rigorous licensing controls have been introduced for imported animal protein. Apart from a few countries with a strong record of producing salmonella-free protein, the authorities of the exporting countries must now provide official certification that the necessary heat treatment has been carried out to destroy any salmonella prior to shipment. The new arrangements also involve more systematic monitoring of imports from all origins, with particular concentration on those origins found in the past to present a higher level of contamination. The Ministry accepts that these new and extremely thorough controls might have been introduced earlier.

17. A new Zoonoses Order came into operation on 1 March re-enacting the 1975 Order and strengthening the requirements to report the results of tests which identify the presence of salmonellae. The Order also provides for the compulsory slaughter of flocks in which salmonella has been confirmed. Restrictions on the sale of eggs have been imposed on flocks when invasive salmonellae have been found in the birds; compulsory slaughter is being carried out when appropriate, followed by cleansing and disinfection of laying houses.

18. There has been concern that, before these provisions were introduced, eggs from farms responsible for outbreaks of salmonellosis might have entered the food chain. The position on these farms varied from case to case. In some cases, the link with the food poisoning outbreak could not be traced back with certainty to the farm in question; in other cases, the flock was slaughtered by the owner voluntarily, or the owner followed the State Veterinary Service's advice to improve hygiene and reduce the risk of salmonella; and in some cases, subsequent bacteriological monitoring gave negative results.

19. The Testing of Poultry Flocks Order 1989 was made on 16 March providing for the compulsory bacteriological monitoring of all poultry laying flocks. Further Orders are being prepared to provide

for the registration of breeding and laying flocks and for the registration and monitoring of hatcheries. These Orders will also introduce strong measures for the hygienic handling of eggs and for the control of rodents on poultry farms.

Field Investigations

20. The Government fully accept the need for stringent investigative procedures for tracing outbreaks of salmonellosis back to source. This calls for close collaboration at local level between the local authorities, the Public Health Laboratory Service and the State Veterinary Service. This already exists. However, the Report entitled 'Public Health in England', which has been accepted in principle by the Government, contains a number of important recommendations including the appointment by Health Authorities of consultants in communicable disease in every district. (This arrangement has operated in Scotland since 1974.) This is designed to improve local co-ordination in the field of the control of infectious disease. We are currently acting on these recommendations.

21. Statutory measures already taken, in particular the Zoonoses Order 1989, should serve to clarify the respective roles in field investigations and improve co-ordination. The State Veterinary Service will continue to liaise closely with the Department of Health, the Public Health Laboratory Service, and local Environmental Health Officers to identify what further improvements might be achieved which would lead to an improvement in co-ordination.

Research and Development

22. The Government are in full agreement with the Committee on the need for research into salmonella in poultry and eggs.

23. That is why, in August 1988, the Department of Health (represented by the Public Health Laboratory Service), the Ministry of Agriculture, Fisheries and Food and the British Egg Industry Council agreed to set up a Joint Working Group of scientists and veterinarians to exchange technical and scientific information concerning Salmonella enteritidis phage type 4 and to identify areas

where research was required. The Joint Working Group met four times between September and December 1988 and reported to Ministers on 10 January 1989. A copy of their Report was placed in the Vote Office at the House of Commons on 7 February 1989.

24. The major contribution made by the Joint Working Group report was that it summarised the research then currently being undertaken and made recommendations for future research. Some of this research has already been commissioned or existing projects amended to take account of the new evidence which has become available. Urgent consideration is being given to the remaining proposals and discussions with potential contractors are under way. The research which is already under way and the new projects which are under discussion with potential contractors are listed in the Annex. The Government announced on 21 March provision of £1 million annually to meet the cost of this new research.

25. Much interest has been aroused by the decision to end Government funding for the research project at the AFRC Institute of Food Research (Bristol) on the manipulation of the microbiological flora of the gut of young chicks. This followed an extensive review of Ministry of Agriculture, Fisheries and Food commissioned research in microbiology which involved consultation with the Department of Health, the Institute of Food Research itself and Food Research Associations, together with representatives of the food industry. As a result of this review it was decided that public funding of this project should cease from April 1989. The work has been supported by the Ministry of Agriculture, Fisheries and Food and the Agriculture and Food Research Council for more than 10 years; it has now achieved its objective in so far as the trials have established the principle of competitive exclusion, by introducing other harmless organisms to the gut, as a method of control relevant to salmonella in poultry. This is now at a stage where any further development would be more appropriately carried out by industry on a commercial basis. The technique is already being used on a trial basis by at least 2 British companies. In addition, an overseas company has applied for an import licence.

The Two Schemes

26. The Government note the Committee's endorsement of the measures taken by the Government to assist the egg industry in the wholly exceptional circumstances which existed last December. These measures were designed to bring stability to a seriously disrupted market, in which sales fell rapidly to around half normal levels. Hens are not a species sensitive to market fluctuations. They continue to lay eggs and to require feeding - and feed is by far the major cost in egg production. As a result of the sudden dramatic drop in demand, unsold eggs were accumulating in packing stations and many producers, particularly small ones, faced bankruptcy. Moreover, there was a real risk that unless over-reaction could be prevented, a major part of the industry's productive capacity would be destroyed, so that when demand recovered we would have had to rely on imports to meet it. This would not have been in the interests of either producers or consumers.

27. The Government therefore introduced two short-term schemes. The purpose of the Egg Industry Scheme was to restore stability to the market by enabling packers to dispose of the accumulating surplus of eggs. The Government offered compensation for eggs destroyed under Government supervision. The compensation offered was deliberately set only at a minimum "safety net" level of 30 pence per dozen, broadly equivalent to the cost of feed, it effectively and rapidly put a floor in the market. The number of eggs destroyed totalled nearly 90 million.

28. The complementary scheme, to compensate for slaughter of hens, was designed to enable egg producers to cull younger birds in order to adjust production to the lower level of demand which might prevail for some time ahead. Again, compensation was offered at a modest "safety net" level of £1.50 a bird. But this provided a way out for those producers who considered it prudent to plan for a lower level of output over the ensuing six to twelve months. The number of hens culled under the scheme was 372,120.

29. In the event, as the Committee's Report says, the package "was designed to put a bottom in the market and did just that". It was,

moreover, able to achieve this at a much lower cost than at one time seemed possible - under £3 million compared to the announced ceiling of £19 million. This reflected in part the nature of the mechanism adopted. As soon as the scheme had succeeded in raising the market above the "safety net" level of 30 pence, this automatically removed the attraction of destruction.

30. In the Government's view these were highly cost-effective measures which achieved their objectives, and the Government welcomes the Committee's similar assessment. The market for eggs has not fully recovered and the industry continues to face serious economic problems. Egg sales in shell on the UK market are now still only some 80 to 90% of the levels at November 1988. Prices to producers, though above the rock bottom levels reached at one stage, are far from remunerative. A return to normality depends on full restoration of consumer confidence. This will depend on the success of the major programme of measures the Government have launched to secure the highest possible standards of health and hygiene in the industry and the industry's ability to assure consumers that its own house is in order.

Other Aspects

31. Apart from the main aspects of their Report, the Committee raised a number of other important points. The Government's views on these are set out in the following sections.

Cracked, Dirty And Washed Eggs

32. The Committee drew attention to the dangers of selling cracked or washed eggs direct to the consumer.

33. Council Regulation (EEC) 2772/75 provides that all eggs have to be graded and packed by registered packers. But its provisions do not apply to eggs sold by a producer from his own production directly to the consumer from his own farm, in a local public market or by door-to-door selling.

34. Up to 5% of UK production is marketed under this exemption. Ungraded eggs may well contain many cracked, dirty or washed eggs and

scientific advice is that there is a higher degree of risk of salmonella contamination with such eggs.

35. The British Egg Industry Council has issued a Code of Practice which recommends that cracked, dirty or washed eggs should not be sold to the consumer in shell but should be sent for pasteurisation. There is a similar recommendation in the Code of Practice for the control of salmonella in commercial laying flocks issued by the Ministry of Agriculture, Fisheries and Food. Because of the higher risk these present the Government is advising consumers not to purchase cracked or dirty eggs. But we are, in addition, proposing to make Regulations which would require that eggs sold under the exemption referred to in paragraph 33 should be without visible cracks. The Government have put proposals for this purpose to all interested organisations for comment and is also consulting them on the possibility of banning the direct sale from producer to consumer of dirty and washed eggs.

Identification Of Origin

36. The Committee recommended that it was necessary to ensure that contaminated, or apparently contaminated, eggs could be quickly traced to the farm of origin. The vast majority of eggs are graded under Council Regulation (EEC) 2772/75 and the packaging for these eggs must indicate the code number of the packing station concerned, which should enable eggs to be traced back to source. Ungraded eggs can only legally be sold as shell eggs if they are sold directly by the producer to the consumer. This very short distribution chain facilitates the task of tracing back the eggs to the farm of origin.

Imported Eggs

37. The Committee recommended that the Government should study how far imported eggs are contributing to the present problems of salmonella infection; and whether any tighter restrictions are needed. They also recommended that MAFF should press for Community initiatives to prevent the trade of infected products; and should hold similar discussions with other trading partners.

38. Most egg imports come from other Member States of the European Community which have similar problems of salmonella infection. Following consultations with the Port Health Authorities and the Public Health Laboratory Service, imported eggs are now being monitored for salmonella infection on a systematic basis. However, the Government's primary objective is to secure action on a Community-wide basis to reduce the problem of infection at its source. The Government are accordingly working with the Commission and other Member States on new Commission proposals designed to achieve this.

Pasteurisation of Liquid Egg

39. The Committee considered that pasteurised egg should be used in all catering establishments in the preparation of uncooked egg dishes and that pasteurised egg should also be made available to the domestic consumer. Egg processors already produce packs of pasteurised egg in catering sizes. The Government have advised hospitals and caterers that pasteurised egg should be used in the preparation of uncooked egg dishes. The Government would also urge those hospitals and other institutions which are currently not prepared to use shell eggs even in their cooked recipes to make use of these catering packs for that purpose. Processors are now producing household-size packs of dried or frozen pasteurised egg and these are beginning to appear in retail shops.

40. The Government believe that the legislative standards for home produced and imported pasteurised eggs should be brought up to the level of the best practices of the major UK egg processors. Thanks to a UK initiative during our last Presidency, the inclusion of eggs rejected from incubators in egg products intended for human food is already banned throughout the EC. The Commission have tabled a draft Directive prescribing hygiene standards for production of egg products but this has made slow progress in Brussels. In order to expedite action to safeguard UK consumers, the Government will shortly consult interested organisations on proposals to amend the relevant domestic Regulations in advance of the adoption of the Directive. The intention would be to extend the application of the domestic Regulations to separated products - albumen and egg yolk; to

lay down microbiological standards for the final product; and to secure other desirable improvements designed to reduce the risk of contamination of the raw product. Imported products would be required to be accompanied by a certificate of conformity to the standards applying under the amended Regulations.

Advice To Retailers

41. The Committee recommended that the Government should actively discourage retailers from issuing misleading guarantees that eggs were "salmonella free". In fact, the Agriculture Departments wrote to associations representing egg producers, retailers, consumers and enforcement bodies in December, reminding them that, under the law, statements relating to eggs (as for other foods) must be neither false nor misleading. The Agriculture Departments explained that it is not feasible for the health status of individual hens to be assessed in relation to the sero-type causing most concern (ie *Salmonella enteritidis*); and as individual eggs can only be tested in a way which destroys them, categorical statements indicating that eggs offered for sale are free from salmonella, or have been tested for salmonella, would be open to legal challenge.

Caterers

42. The Committee considered that pasteurised eggs should be used in all catering establishments in the preparation of uncooked egg dishes. Advice to this effect has been given to catering establishments and any caterer who, by wilfully ignoring that advice, was responsible for an outbreak of food poisoning could be legally liable.

43. The Government were urged to review current procedures for inspecting kitchen hygiene in catering establishments, to provide the resources for more frequent inspections and, if necessary, tougher penalties, and to ensure that the immunity from prosecution afforded to catering establishments within some Crown premises does not leave these kitchens subject to less strict control than those in the private sector.

44. The Food Act 1984, the Food Hygiene (General) Regulations 1970 and corresponding Scottish legislation have been under review for some time. The final stage of consultation on the Regulations has been reached and the Government are considering the introduction of new primary legislation and amendments to the hygiene Regulations. The review has been wide-ranging and it is expected that the new legislation will deal with the problems which have emerged over the years.

45. We accept that powers to deal with such problems as poor kitchen hygiene in catering establishments can only be effective if there are adequate resources available to enforce them. The Government are reviewing the position and considering whether action needs to be taken to provide additional resources.

46. Catering establishments within Crown premises (other than NHS premises) are subject to inspection by an Environmental Health Officer employed by the Department of Health and there are arrangements for the reporting and correction of problems.

Advice to Consumers

47. We endorse the Committee's view that the role of consumers in food safety should not be exaggerated.

48. Indeed, the Chief Medical Officer, in his statement to the Committee, concluded that:

"While it is to be hoped that the health warnings will reduce the prevalence of this type of salmonellosis, the difficulties in determining what in practice is a sufficiently cooked egg in this context make such advice alone inappropriate except as a short-term measure. Neither can improved hygiene in the kitchen, highly desirable though that is, alone provide the solution. A key factor will be the control of the infection at source."

49. The Government's acceptance that the safety and wholesomeness of food depends upon adequate hygiene controls at every stage of the

production chain is underlined by the comprehensive package of measures we are adopting, described earlier in this response, which operates at all the critical points in that chain.

50. Nevertheless, the effectiveness of any measures taken in the production process will be diminished unless sound hygienic practices are followed in the storage and handling of food in the home. Moreover, kitchen hygiene is important particularly in the prevention of cross-contamination from uncooked to cooked foods. It is for these reasons - and certainly not with any intention of placing undue responsibilities upon consumers - that the Government are undertaking the food hygiene education campaign. The Government agree with the view of the Committee that the campaign must address the problem of food poisoning as a whole - and this will be done. The Government agree also that this should include specific advice about eggs.

51. The Committee have made particular mention of a Parliamentary Answer on the initial cost of the campaign and have suggested that the sum involved indicates that the Government may not be regarding the campaign as an important means of reducing food poisoning. In fact the Government are proposing to devote some three quarters of a million pounds to the campaign in order to ensure that it makes a significant contribution towards raising awareness of safe and hygienic practices in the kitchen - an area about which official surveys have revealed that public knowledge is inadequate. The campaign will be commensurate with the objective to be achieved.

Reporting Infection

52. The Committee recommended that the Department of Health should consult with the Public Health Laboratory Service and the appropriate professional bodies on how best to stimulate a more thorough commitment to reporting infection; and that the Public Health Laboratory Service should re-examine the continued confidentiality of the Communicable Disease Report.

have been made. Government Departments are represented only through the two assessors on the Committee: all the remaining members are independent experts. As to publication of the Committee's findings, the Government repeat the various statements already made that the Committee's Reports will be published.

Joint Department of Health and Ministry of Agriculture, Fisheries and Food Forum on Food Safety Issues

56. In reviewing the Government's future strategy, the Committee recommended that a joint forum of the two responsible Departments should meet at least quarterly under the chairmanship of a Minister to review food safety issues and to consider any action necessary. The Government accept that close co-operation between the Departments is the key to effective action in this area of shared responsibility. Indeed, there is already frequent contact between the Departments at Ministerial and official level, and regular meetings between the Permanent Secretary, Ministry of Agriculture, Fisheries and Food, and the Chief Medical Officer - each supported by senior officials - at which all the items of current concern are discussed. Further, a joint Secretariat from the two Departments has been set up to service and support the Committee on the Microbiological Safety of Food. The Joint Secretaries will be in close and regular contact and will bring into their discussions the appropriate experts in each Department with responsibility for the matters before the Committee at any particular time.

57. There are, therefore, well developed existing arrangements for co-ordination of policy between the two Departments. Nonetheless, the Government are considering whether any further development of the formal machinery for co-ordination is needed.

Conclusion

58. Confidence in the safety of food is an over-riding concern as this problem over salmonella in eggs has demonstrated. The Government are determined to take every measure we can to remove the risk of infection in eggs. Even though this has been recognised by the Committee to be "very small", the public health consequences of contamination are serious because of the large numbers of eggs

53. The need to increase awareness of the importance of reporting cases has already been identified in the report entitled "Public Health in England", which also recommended that the list of notifiable diseases should be reviewed. The review is at present under way and, when new regulations are made, the Department of Health intend to draw these to the attention of health authorities and doctors in order to encourage a higher proportion of cases to be reported. The Communicable Disease Report is compiled from confidential reports of clinical information collected by the Public Health Laboratory Service and hospital laboratories in England, Wales and Northern Ireland. It is not itself a confidential document, but rather a report with a limited circulation to those involved in the management of communicable disease. Department of Health are examining with the Public Health Laboratory Service the question of a wider circulation. The Public Health Laboratory Service Board had decided in 1987 to develop the Communicable Disease Report into a published non-confidential report, in association with a major restructuring of its reporting, information, analysis and editing systems using computer technology. The re-structuring process is proceeding according to plan and it is intended that the new CDR format will be introduced in 1990.

54. In Scotland, these procedures are already in operation. Laboratories are required to report to the Communicable Diseases (Scotland) Unit and a surveillance programme for foodborne infections and intoxications has been in place since 1980. The Report of the Communicable Diseases (Scotland) Unit is published weekly. The list of notifiable diseases has been reviewed and a list of reportable infections was introduced on 1 January this year.

Committee On The Microbiological Safety Of Food

55. The Government are glad to note the welcome given by the Committee to the creation of the Committee that will be investigating microbiological safety. The Committee sought assurances on the independence of the new body and on the publication of its main findings. Membership of the Committee has been announced since the Report of the Agriculture Committee was published, and the independence of the former will be clear from the appointments that

consumed. The Government have launched a campaign more rigorous and comprehensive than any other country in the world to ensure the maximum possible degree of safety at every point in the chain from breeder to kitchen table. The Government are grateful to the Agriculture Committee for the valuable contribution their very thorough Report has made towards this campaign.

RESEARCH AND DEVELOPMENT

I - Research already under way

<u>Project Title</u>	<u>Contractor</u>	<u>Total Cost</u> (£'000)
1. Risk assessment of salmonella in eggs	Bath University	50
2. Thermal destruction of salmonella in foods made with eggs.	Leatherhead Food Research Association	10

In addition the PHLS are undertaking a number of studies on Salmonella enteritidis PT4 including a survey for its presence in bulk liquid eggs pre- and post-pasteurisation, studies on heat resistance, virulence studies in hens, the development of an antigen test for infection in poultry and a study of the genetic markers of S. enteritidis PT4 virulence.

II - New Projects under Discussion
with Potential Contractors ^(a)

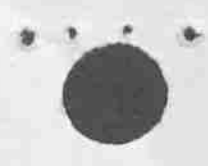
<u>Project Title</u>	<u>Contractor</u>
1. Pasteurisation conditions for egg albumen. Functionality of pasteurised albumen	Leatherhead Food Research Association
2. Studies on the effects of chill distribution and packaging materials on the penetration of the egg shell by <u>S. enteritidis</u>	Exeter Public Health Laboratory
3. The role of egg shell structure in the penetration of the shell by <u>S. enteritidis</u>	Glasgow University

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|----|--|---|-------------------|
| 4. | Development of serological tests and vaccines. |) | |
| | |) | |
| 5. | Epidemiological studies of <u>S. enteritidis</u> PT4 in laying flocks. |) | Central |
| | |) | Veterinary |
| | |) | Laboratory, |
| | |) | Weybridge |
| 6. | Salmonella in feed: re-contamination and isolations. |) | |
| | |) | |
| 7. | Pathogenesis of <u>S. enteritidis</u> in chicken. |) | |
| | |) | |
| 8. | Genetic basis for virulence for chickens of <u>S. enteritidis</u> PT4. | | Houghton |
| 9. | Pathogenesis of <u>S. enteritidis</u> in laying birds. | | Bristol |
| | | | Veterinary School |

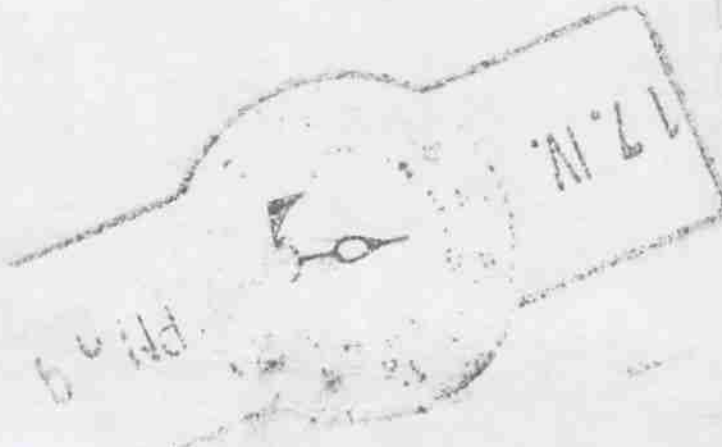
NOTES

- (a) The Ministry of Agriculture, Fisheries and Food will make £1 million per annum available for this work.

(b)



17.11.1951



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17.11.1951



Ministry of Agriculture, Fisheries and Food
Whitehall Place, London SW1A 2HH

From the Minister

PRIME MINISTER

CRACKED AND DIRTY EGGS

The meeting of the Group on 22 March agreed that I should consult on a proposal to prohibit the sale of cracked eggs; but should go no further than seeking views on the desirability of legislation to ban the sale of dirty or washed eggs, explaining the difficulties ... involved. A draft consultation document on these lines is attached.

During the meeting it was suggested that consideration should be given to applying in the case of cracked eggs tolerance limits similar to those contained in European Community regulations. However, the legal advice I have received is that it is highly doubtful whether such a tolerance would be appropriate under the Food Act 1984. That Act provides for regulations "for the protection of public health"; and if cracked eggs are regarded as a health risk, a provision which assumes that it is reasonable for the housewife to accept up to a specified proportion of cracked eggs might be criticised by the Joint Committee on Statutory Instruments as ultra vires or an unusual or unexpected use of the relevant powers. I have, therefore, not included any tolerance provision in the draft attached to the consultation document.

I will be sending you separately a draft White Paper in response to the Agriculture Committee's report on Salmonella in Eggs. As you know, that report made recommendations on cracked and washed eggs and on the ability to trace back infected eggs to the farm of origin. The draft White Paper assumes that consultation will proceed on the basis set out in the attached note.

/I am copying ...

I am copying this minute to other members of MISC 138 and to Sir Robin Butler.

S. J. Lambert

Ministry of Agriculture,
Fisheries and Food
April 1989

PP JOHN MacGREGOR
*Approved by the Minister
and signed in his absence.*



EGG SALES : HYGIENE. CONSULTATION DOCUMENT

THE PROBLEM

1. In accordance with section 118(6) of the Food Act 1984 the Ministry of Agriculture, Fisheries and Food and the Department of Health by this paper are consulting interested organisations on the attached proposals to prohibit the retail sale by producers of cracked eggs.

And these packers are prohibited from selling eggs which are cracked, are dirty, or have been wasted.

2. Regulation EEC 2772/75 provides that ^{who are registered} ~~all~~ eggs have to be graded and packed by registered packers. But its provisions do not apply to eggs sold by a producer from his own production directly to the consumer from his own farm, in a local public market or by door-to-door selling.

would be clear as amended?

3. Up to 5% of UK production is marketed under this exemption. Ungraded eggs may well contain many cracked and/or dirty eggs and scientific advice is that there is a much higher degree of risk of salmonella contamination with such eggs than with sound and clean eggs.

4. With cracked eggs the cause for risk is evident. The cracks facilitate entry of bacteria into the inside of the egg, for example through contact with farmyard manure or dust, which may contain salmonella.

5. But dirty eggs carry a similar if less obvious risk. The "dirt" on an egg is often the birds' excreta which may contain salmonella bacteria. This tends to come into contact with the egg when it is still warm after laying, and the bacteria pass through the porous shell while the egg is cooling. The problem would not therefore be resolved by cleaning the egg, eg by brushing. Moreover, if a dirty egg is washed there is an added risk of external salmonella penetrating through the egg shell, particularly if the washing water is contaminated.



CODES OF PRACTICE

6. Last December the British Egg Industry Council issued a Code of Practice which recommended that cracked, dirty or washed eggs should not be sold to the consumer in shell but should be sent for pasteurisation. There is a similar recommendation in the Code of Practice for the control of salmonella in commercial laying flocks which was issued by MAFF in the same month. However, as has been made clear already, the Government sees advantage in giving statutory backing to elements of the Codes.

PROPOSALS FOR LEGISLATION

7. Stringent measures are being taken at every stage in the production chain to combat the risk of salmonella contamination from eggs. The Government consider the consumers also need to be protected as far as practicable from the potential risk from dirty or cracked eggs. The Government will be issuing advice to consumers on the dangers inherent in use of such eggs. But it is in addition proposing to make regulations under the Food Act 1984 which would require that eggs sold under the exemption referred to in paragraph 2 above shall contain no cracks visible to the naked eye. The purpose of this legislation would be to provide some safeguard against the most serious and evident risk of infection.

In the
leaflet

8. The Government have, however, also been considering whether it would be desirable and feasible also to legislate against sales of dirty eggs. This would inevitably add further to the burden on enforcement authorities. Moreover, a ban on sales of dirty eggs would risk encouraging the washing of eggs, which could actually increase the risk of salmonella contamination of the egg contents. Sales of washed eggs would therefore also have to be prohibited, but enforcement would be particularly difficult, since special equipment would be required (using ultraviolet light) for verification. Because of these factors, the Government are not putting forward specific proposals for legislation on dirty eggs, but would welcome views of interested organisations on the desirability and practicability of such legislation.



COMMENTS

9. Comments are invited from your organisation on:-

(a) the Government's proposal to prohibited the sales of cracked eggs;

(b) the desirability and practicability of seeking to ban sales of dirty or washed eggs.

10. Comments should be addressed to Mr M Ring, Ministry of Agriculture, Fisheries and Food, Room 107 Whitehall Place West, London SW1A 2HH (telephone 01 - 270 8469) to arrive by [two months from the date of issue].



14. IV. 1919





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Prime Minister.
On x the draft consultation document
(para 5 of the Annex) contains a
presumption that the Government
will legislate. An alternative
would be to canvass whether and
in so doing draw sufficient
attention to the issue that
consumers are adequately
warned.

AT 20/3

P 03395

PRIME MINISTER

MINISTERIAL GROUP ON FOOD SAFETY

CRACKED AND DIRTY EGGS AND SURVEILLANCE OF IMPORTED EGGS:

MISC 138(89)9

DECISIONS

1. You will wish the Group to take decisions on the Minister of Agriculture's two proposals:

- i. consultation document. Mr MacGregor proposes to issue a
x | consultation document setting out proposals for prohibiting the
sale of cracked, dirty or washed eggs in markets or at the farm
gate, and for requiring an indication to be given of the origin
of ungraded eggs;
- ii. announcement. He also proposes to make it known that
imported eggs are now being monitored for infection with
salmonella.

BACKGROUND

2. The Group considered at their previous meeting a series of proposals by the Minister of Agriculture for additional measures to reduce the risk of salmonella poisoning from eggs. They agreed that new Regulations should be made to bring the Liquid Egg (Pasteurisation) Regulations up to date, and that arrangements should be established for the surveillance of imported eggs, without an announcement. They also agreed that the public should be advised to clean eggs by brushing rather than washing and to avoid buying eggs that were cracked, dirty or washed; but they were concerned about

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the problems of enforcement and definition that a prohibition on the sale of such eggs might involve and the Minister of Agriculture was invited to give further thought to this.

3. The Group's previous meeting took place a few hours before the publication of the Select Committee on Agriculture's Report on Salmonella and Eggs. In the event the Select Committee made recommendations which bear directly on each of the Minister of Agriculture's current proposals. The Government's response to the Select Committee will need to be published by about the end of April to comply with the normal conventions. We are arranging for it to be considered at a further meeting of the Group in mid-April.

MAIN ISSUES

Cracked, Dirty or Washed Eggs and Labelling Requirements

4. EC regulations provide that cracked, dirty or washed eggs (which are especially likely to be contaminated with salmonella) should not be sold for human consumption. But eggs sold by a producer from his own production direct to the consumer from his own farm, in a local public market or by door-to-door sale, which together account for about 5% of UK egg production, are exempt from these regulations. Some large egg producers divert their cracked or dirty eggs into sale at the farm gate, and eggs sold in this way accordingly contain a disproportionately high number of cracked or dirty eggs. The Select Committee on Agriculture have drawn attention to this exemption and recommended that "cracked or washed eggs should only be sold for pasteurisation". (The omission of a reference to dirty eggs was presumably an oversight.) We understand that the Chief Medical Officer strongly supports this proposal. You will wish to consider whether there should be some tightening up of regulations in view of the Select Committee's recommendation.

Small Producers

5. At the last meeting several members of the Group were concerned about the implications for small producers. Mr Walker, in particular, suggested that it would be ridiculous if environmental health officers were enabled to inspect eggs sold, for example, by people

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who kept a few chickens in their garden. The Minister of Agriculture's paper offers no proposals for meeting such concerns. If the Group still wishes to exempt those who, for example, keep chickens as a hobby and sell surplus eggs to friends, neighbours etc, you might ask whether the regulations could exempt sales which were not in the course of a business and/or producers with fewer than a specified number of egg-laying hens.

Enforcement

6. Any new regulations would be enforced by environmental health officers who already have the responsibility of enforcing the existing prohibition on the sale of cracked and dirty graded eggs. You may wish to check that environmental health officers could take this work on without the need for additional resources. If there were any question of an increase in resources being required, you may wish to invite Mr MacGregor to clear this with the Chief Secretary and the Environment Secretary (who has responsibility for EHOs).

Labelling

7. The Select Committee (at paragraph 47 of their Report) suggested that the public needed reassurance that contaminated eggs could be quickly traced to their farm of origin and recommended that "the Government should ensure with industry that existing arrangements are reviewed and, if necessary, improved". The draft consultation paper attached to the Minister of Agriculture's paper suggests that eggs which are exempted from the EC regulations should be accompanied by a label stating the producer's name and address. You will wish to check that the Group are content with this.

Import Surveillance

8. The Select Committee recommend (at paragraph 75 of their Report) that MAFF should study how far imported eggs were contributing to the present problem and whether any tighter restrictions were needed; and that MAFF should press for European Community initiatives to prevent the trade of infected products and should hold similar discussions with other trading partners.

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9. At the Group's previous meeting, it was agreed that Mr MacGregor should implement his proposals for testing an average of 60 eggs from each lorry entering the country. His paper indicates that this has been put in hand. You stressed the importance of first finding out the facts before deciding what, if any, measures were needed to deal with infected eggs sent here from abroad, and you accordingly said that the surveillance arrangements should not be publicised. However, this was before it was known that the Select Committee would make recommendations about imported eggs. Mr MacGregor now indicates that he is also coming under pressure from domestic producers to take steps to guard against the risks of importing infected eggs. He therefore believes that it would not be sustainable to fail to disclose the steps which the Government are taking to monitor imported eggs. You may wish to consider whether Mr MacGregor should make an early announcement or whether it would be better to hold this back for the response to the Select Committee Report.

HANDLING

10. You will wish to invite the Minister for Agriculture to introduce his paper. The Secretary of State for Health and the Chief Medical Officer may have comments, in particular on the proposals on cracked, dirty or washed eggs. The Chief Secretary may wish to comment if extra resources are needed for enforcement by environmental health officers. Other members of the Group will have political points to make.

RJW
R T J WILSON
Cabinet Office
20 March 1989

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cc: [unclear]

P 03382

PRIME MINISTER

MINISTERIAL GROUP ON FOOD SAFETY
FURTHER MEASURES TO CONTROL THE RISK OF SALMONELLA POISONING
ARISING FROM EGGS: MISC 138(89). 5

DECISIONS

1. You will wish the Group to take a decision on the three measures proposed by the Minister of Agriculture. These are:

- i. prohibiting the sale of cracked and dirty eggs, and requiring the origin of ungraded eggs to be indicated;
- ii. surveillance of imports of eggs;
- iii. amending the Liquid Egg (Pasteurisation) Regulations.

2. The question of import surveillance raises points about the EC food safety regime. The background on this is set out in MISC 138(89)6, which is a factual note that you commissioned at the Group's first meeting. If, in the light of the discussion on the eggs proposal, you wished to explore any of the EC points in greater depth, you could either remit them to be considered in OD(E) under the Foreign and Commonwealth Secretary's chairmanship,

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This
looks
more
sensible

or you could bring them back to a later meeting of MISC 138, augmented by the Foreign and Commonwealth Secretary (and perhaps also the Trade and Industry Secretary).

3. On timing and presentation, the report on salmonella and eggs by the Select Committee on Agriculture will be published a few hours after the MISC 138 meeting. You may wish to ask the Minister of Agriculture and the Secretary of State for Health to see that any announcement on the three currently proposed initiatives on eggs is properly co-ordinated with the Government's overall response to the Select Committee. (The Secretary of State for Health may comment that if he is criticised in the Select Committee's report he would wish to make an immediate reply, whatever fuller response the Government may make later.)

MAIN ISSUES

4. The three proposals raise separate issues.

a. Cracked and dirty eggs

5. About 5% of UK egg production is sold by the producer directly to the consumer, and is exempt from the EC regulations that apply to other egg sales. In particular, the direct sales avoid the EC requirement that eggs for human consumption must not be cracked, dirty or have been washed; and such eggs are especially likely to be contaminated by salmonella. The Minister of Agriculture is therefore proposing that Regulations should be made under the Food Act to prohibit the sale of such eggs, and to require that ungraded eggs have a mark of origin in the same way as graded

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ones, so that eggs responsible for salmonella infection can be traced back to the producer. Enforcement would be by the Environmental Health Officers.

6. Given the higher risk of salmonella from cracked, dirty or washed eggs, there is clearly a public health argument for extending the prohibition on them down to direct sales by producers. We understand that Sir Donald Acheson feels quite strongly about this. On the other hand, the prohibition might have such a serious effect on farm gate sales that many small producers were put out of business, or at least had their livelihoods severely affected. We understand that the Secretary of State for Health is troubled by this, and is not persuaded that the case for action has been made out. Paragraph 5 of the paper notes that the implications for small egg producers should emerge more clearly during the consultation process on the proposed new Regulation. We understand that this was intended as a compromise formula that would have enabled Mr Clarke to add his name to the paper, though in the event he declined to do so. You will wish to consider whether the prohibition should go out to consultation, on the basis that the effect on small producers will be reviewed at the end of the consultation period.

7. The Minister of Agriculture's proposal is that the new prohibition would be enforced by the Environmental Health Officers. The Opposition have been trying to make capital out of the fact that the Environmental Health Officers are about 400 under strength. You may wish to check that it would be feasible

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to give them a new job without any increase in resources. If an increase in resources were in fact required, it would need to be cleared with the Treasury in the normal way.

b. Import surveillance

8. At the Group's first meeting you were particularly concerned that it would be unfair on the domestic producer if he had to meet higher standards of hygiene than were applied in the rest of Europe, while other EC countries were able to send their eggs to the United Kingdom without any checks. The Minister of Agriculture is therefore proposing that approximately 1 in 5,000 imported eggs should be tested at the point of entry. If infected eggs were discovered, more intensive surveillance would be mounted on future consignments from the producer concerned, and if further infected eggs were discovered from the same source, it would be proposed to raise the matter both with the European Commission and the other government involved.

9. The background paper (MISC(89)6) spells out the difficulties in operating any barrier to trade in food in the EC, and notes that this will become progressively more problematic as 1992 approaches. Any control of this kind that is operated for the protection of health has to be reported to the European Commission, who will check that the action in question is not a disguised discriminatory barrier to trade, and that it is proportional to the mischief at which it is directed.

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10. There are a number of aspects which you may wish to explore:

i. does sampling at the proposed rate represent a real safeguard, given the low incidence of infected eggs?

ii. for how long is it intended to maintain this surveillance, and is the burden on the Public Health Laboratory Service sustainable?

iii. how does the proposed scale of testing compare with the testing of domestically produced eggs? (If there is any doubt on the score of legality, you may wish to ask that the Attorney General's advice should be obtained);

iv. if infected eggs were frequently found from the same producer, would it be sustainable simply to complain to the Commission and the other government?

Surely the public would expect stronger action in those circumstances;

v. what implications would the proposed surveillance have for other foodstuffs? Listeria in French cheese seems to be a good deal commoner than salmonella in eggs from EC countries. Are French cheeses to be similarly monitored? Does any similar routine monitoring go on at present for cheeses or other foods?

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c. Pasteurisation of liquid egg

11. This seems, on the face of it, to be a straightforward proposal to bring the present Liquid Egg (Pasteurisation) Regulations up to date to take account of new practices, and better knowledge, since they were made in 1963. The proposal is said to be welcome to the industry, and it does not appear to be controversial.

HANDLING

12. After the MINISTER OF AGRICULTURE, FISHERIES AND FOOD has introduced the paper, you may wish to ask the SECRETARY OF STATE FOR HEALTH and the CHIEF MEDICAL OFFICER if they have any comments to add. You may wish to take the opportunity of asking if either Minister has any information about the report of the Select Committee on Agriculture, and any ideas on responding to it. Other members of the Group may have general views on the proposals.

RJW.

R T J WILSON

Cabinet Office

28 February 1989

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0924A



DEPARTMENT OF HEALTH AND SOCIAL SECURITY

Richmond House, 79 Whitehall, London SW1A 2NS

Telephone 01-210 3000

From the Secretary of State for ~~Social Security~~ Health

NDM AF 24/2/89 PU

Andrew Turnbull Esq
Principal Private Secretary
10 Downing Street
LONDON SW1

24 February 1989

Dear Andrew

**MISC 138: FURTHER MEASURES TO CONTROL THE RISK OF SALMONELLA
POISONING ARISING FROM EGGS**

My Secretary of State and Mr MacGregor will be considering the attached draft paper for MISC 138 over the weekend, but I thought you might find it helpful to see an advance copy.

I am copying this letter and attachment to Richard Wilson (Cabinet Office), Mike Monck (Treasury) and Caroline Sinclair (No 10 Policy Unit).

yours

Flora

FLORA GOLDHILL
Private Secretary

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DRAFT PAPER FOR MISC 138

FURTHER MEASURES TO CONTROL THE RISK OF SALMONELLA POISONING
ARISING FROM EGGS

INTRODUCTION

1. This paper invites the Committee to approve three further measures to reduce the risk of salmonella poisoning from eggs: a ban on the sale of cracked and dirty eggs; surveillance of imports of eggs in shell; and more stringent rules governing pasteurisation.

CRACKED AND DIRTY EGGS

2. EC Regulations require all eggs to be graded and packed by registered packers; and specifically that "fresh" eggs for direct human consumption must not be cracked, dirty or have been washed. But these regulations do not apply to eggs sold by producer directly to the consumer at the farm gate, in a local market or door-to-door. This exemption leaves a potentially dangerous loophole since cracked or dirty eggs carry an enhanced risk of salmonella contamination. So do dirty eggs which have been washed, because the shell is porous and there is a risk of salmonella penetrating with the water into the egg. About 5% of UK production is marketed under this exemption and, in view of the increased risk of salmonella infection, it would be prudent to close this loophole.

3. Where eggs are suspected as a source of any human illness from salmonella, we need to be able to trace the source of the eggs, so that the State Veterinary Service can check the position

on the farm of origin. Containers for graded eggs all carry the identification of the packer, but at present ungraded eggs can be sold without any indication of their origin.

4. The Code of Practice issued last December by the British Egg Industry Council (to whom all but one of the egg associations belong) has already recommended to its members that cracked, dirty and washed eggs should not be sold in shell but should be sent for pasteurisation. The United Kingdom Egg Producers Association (which does not belong to BEIC) has issued similar advice to its members through its weekly newsletter. However, BEIC have told MAFF officials that not all their members are following this advice. It is therefore advisable to legislate to ensure that cracked, dirty or washed eggs are not sold and to provide for the origin of ungraded eggs to be indicated by a sales slip showing the name and address of the producer. There is little prospect of securing an amendment of the Community Regulations to achieve this. It is therefore proposed to make regulations for this purpose under the Food Act 1984.

5. The cost to the industry of requiring cracked, dirty or washed eggs to be sent for pasteurisation, rather than sold in shell, would be some £2-3 million per year.

6. Enforcement of the proposed Regulations would be in the hands of the Environmental Health Officers of the District Councils. Informal soundings of the Institution of Environmental Health Officers and the Association of District Councils have indicated that there would be no problems over enforcement. They are not yet able to estimate the resource cost.

IMPORT SURVEILLANCE

7. Flocks in other Member States are also known to be contaminated with salmonella, including *Salmonella enteritidis* PT4, although we have little evidence on the extent of the problem. We have taken stringent measures to minimise the

1111

risk of infected eggs reaching consumers from domestic flocks. In the interests of protecting public health we need equally to take measures to guard against infection from imported eggs.

8. It is clearly not feasible to apply in respect of imports measures comparable to those operating domestically, under which checks are made on farms to check birds, premises and the environment. Moreover, we are advised that we could not legally impose a requirement for the exporting countries to certify that such tests had been carried out on farms involved in supplying eggs for export; nor we would have any prospect of securing voluntary agreement to such measures. All we could do therefore is monitor the eggs on import by taking samples for testing.

9. The volume of imports varies considerably from year to year, but when the market is reasonably strong imports could amount to about 360 million eggs (1 million boxes each containing 360 eggs). Scientific advice is that to obtain a statistically significant ^{result} sample, we would need to test on average 60 eggs from each lorry entering the country (a total of 75,000 eggs a year). Initial consultations with the Association of Port Health Authorities indicates that there would be no practical difficulty in taking samples on this scale provided that the Public Health Laboratories could cope with this volume of eggs for testing.

10. Provided the tests consistently showed negative results, there would be a degree of reassurance. But in the event that any test proved positive, our scope for action would be limited by legal and practical constraints to notifying the European Commission and the Government of the originating country; and to alerting other ports of entry into the UK of the packer's code number so that they could sample a larger proportion of imports from that source. If a second infected sample was discovered from the same source, we would need to raise the issue bilaterally with the Member State concerned (as well as

notifying the Commission) to ensure that the cause of the problem was investigated and remedied or, failing that, to contemplate the scope for more rigorous against imports from that source.

PASTEURISATION OF LIQUID EGG

11. The Liquid Egg (Pasteurisation) Regulations have not been changed since 1963 and need updating to cater for the increased risk of salmonella infection. The Regulations require that liquid whole egg should be pasteurised but they do not make a similar requirement insofar as egg yolk and albumen are concerned, nor do they set any microbiological standards for the final product after pasteurisation. Moreover, they permit certain practices (such as bulk breaking techniques and the bulking of badly cracked eggs at packing stations for transmission to processing plants) now generally accepted as entailing high risk of contamination. It is proposed to amend the Regulations to make good these deficiencies. *The amended regulations (as the present ones) will apply to imported as well as domestic products.*

12. The British Egg Products Association have indicated that their members would welcome the tightening up of the Regulations in this way. The changes would largely enshrine in legislation the best practices already followed by the major egg processors and so the cost to the industry should be small.

13. The Regulations would be made under the Food Act 1984 and enforcement would be in the hands of the Environmental Health Officers. There has been no contact with the Association of District Councils over this proposal and so the resource costs are unknown.

CONSULTATIONS and timing

14. Consultation with interested parties is mandatory for Regulations made under the Food Act 1984. But it is not proposed to consult over the proposals for import surveillance. On all three issues action, if agreed, would be initiated forthwith.

RECOMMENDATIONS

15. MISC 138 is invited to agree that consultation documents should be issued on the proposals to ban the sale of cracked and dirty eggs and to update the Liquid Egg (Pasteurisation) Regulations; and to agree to the proposed import surveillance arrangements.



NDM
25
21/2

V. G. P.

Ministry of Agriculture, Fisheries and Food
Whitehall Place, London SW1A 2HH

From the Parliamentary Secretary (Commons)

A Turnbull Esq
10 Downing Street
LONDON
SW1A 2AA

20 February 1989

Dear Mr Turnbull,

SALMONELLA IN EGGS

In your letter of 27 January you asked how the restriction notices on affected farms fits into the overall plan on salmonella. The position is very simple. The restriction notices, issued on 27 January, and the compulsory slaughter arrangements which we announced on 10 February, complement the other measures which we had already announced. These measures were listed by Mr MacGregor in a written reply on 18 January (copy enclosed), and the new action does not detract in any way from them. For example, the compulsory registration and bacteriological monitoring of laying flocks, which we announced earlier, are valuable steps in their own right but are also essential adjuncts to the sort of slaughter policy announced on 10 February; without a statutory monitoring requirement backed up by local authority inspections, there would be a risk that some producers might try to avoid testing for or reporting the presence of salmonella in their flocks, and thereby avoid having their flocks restricted or slaughtered. Thus the various elements in the package in fact hang together very well.

I am copying this to Carys Evans (Treasury) and Andy McKeon (DoH).

Yours sincerely,
W F G STRANG

W F G STRANG
Private Secretary

ACRUCULTURE: Palmonella + eggs

Dec 88



3859

MINISTRY OF AGRICULTURE, FISHERIES AND FOOD
PARLIAMENTARY QUESTION

Question No: Written 147
(On Order Paper: Wednesday 18 January 1989)

Date: Wednesday 18 January 1989

Mr Michael Lord (Central Suffolk): To ask the Minister of Agriculture, Fisheries and Food, if he will list the action he is taking on salmonella in eggs.

Mr MacGregor:

Since the summer of 1988 we have been preparing and adopting a series of measures designed to tackle the salmonella problem at each point along the chain from poultry feedingstuffs, through the breeding flocks and hatcheries to the laying houses, and then on into the home. I am now proposing a number of further measures to reinforce the action already taken.

To minimise the risk of salmonella in poultry feedingstuffs, my Department has doubled the rate of inspections in protein processing plants so that samples are now taken annually from 20 days production from each plant instead of 10 days production as previously. I propose shortly to bring in new statutory provisions requiring protein processors to take samples from each day's production, to have them tested at MAFF-listed laboratories, and to notify MAFF immediately of positive results. I also propose to take powers to stop the supply of products from processing plants where salmonella is found, until action has been taken to ensure that uncontaminated products are being produced.

New arrangements for imported animal protein are currently being introduced. These will involve a graded series of controls reflecting our previous experience of contamination levels in material from particular sources.

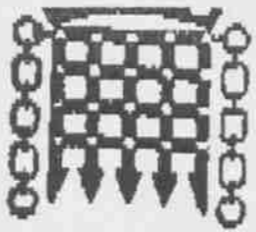
To minimise the risk of infection through breeding stock, two Codes of Practice have been introduced for poultry breeders and hatcheries. I propose to introduce secondary legislation requiring the registration of breeding flocks and hatcheries, requiring breeders to arrange regular bacteriological monitoring of their birds and of the hatcheries, and requiring breeders to supply MAFF with veterinary certificates setting out the results of that monitoring. This legislation will also enable Ministry officers to restrict sales of poultry and hatching eggs when invasive salmonellae are found.

For commercial laying flocks, similarly, a Code of Practice has been introduced. I propose now to introduce a requirement on operators to carry out regular bacteriological monitoring, together with strengthened statutory requirements about the control of rodents, with provision for compulsory cleansing and disinfection and requirements for the hygienic handling of eggs.

In order to underline the importance of hygienic handling of food in the home, a major education campaign will be launched early this year. This campaign is designed to reduce the incidence of food poisoning generally.

Salmonella is an International problem. So I have also been consulting colleagues in Europe and the United States.

I believe that this range of measures amounts to one of the most comprehensive programmes for dealing with salmonella in any country in the world.



HOUSE OF COMMONS
LONDON SW1A 0AA

Prime Minister²

7 February 1989

My dear Jerry

mt

Thank you for your further letter.

I am bound to say that I was surprised (as many colleagues will be) that your Committee should feel it is able to decide whether or not to "excuse" me from attendance.

The rights and immunities of individual Members were established long before the rights and powers of Select Committees to compel certain witnesses.

The House was very wise not to give Departmental Select Committees the power to require individual Members to attend. This power the House reserves for itself and to exercise it would be a very serious matter for which I believe there is no precedent since 1690. In those circumstances it could well be that the House would wish to seek the advice of the Select Committee on Parliamentary Privilege before discussing any such proposition or considering any further action.

But you, Jerry, are like me a former Minister and, I hope, a friend. To spare you further embarrassment and as a personal courtesy I will come to your meeting. I repeat that there is no information I can offer the Committee over and above that which they already have.

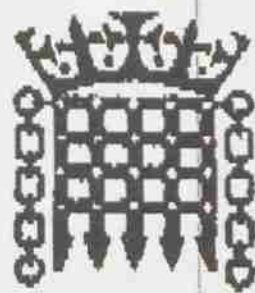
Yours ever
Edwina

EDWINA CURRIE

→

Jerry Wiggin MP
House of Commons

From Jerry Wiggin TD, MP



COMMITTEE OFFICE
HOUSE OF COMMONS
LONDON SW1A 0AA

01-219 3262/3 (Direct Line)
01-219 3279 (Direct Line)
01-219 3000 (Switchboard)
01-219 6606 (Fax Group 3)

AGRICULTURE COMMITTEE

7 February 1989

Dear Edwina,

Thank you for your letters of 25 January and 6 February, which the Committee considered at its meeting this afternoon.

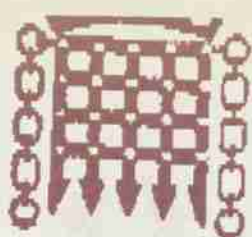
While the letters clear up some points, they still leave questions unanswered. The Committee was of the view that you should not be excused from giving evidence; and believes it is for it, not you, to decide whether such evidence is relevant. The Committee has directed me formally to invite you to appear before it tomorrow, Wednesday 8 February 1989, and be prepared to answer questions when it has finished taking evidence from Ministers. We expect this to be about 5.00 p.m.

I would be grateful if you could indicate by 2.30 p.m. tomorrow whether you intend to accept this invitation. If you do not do so, the Committee will have no option but to take formal steps in the House to seek to secure your attendance. I hope you will agree that it is in everyone's interest to avoid this course.

Yours ever

Jerry Wiggin
Chairman

Mrs Edwina Currie MP
House of Commons



HOUSE OF COMMONS
LONDON SW1A 0AA

Prime Minister²

7 February 1989

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Yours ever
Edwina

EDWINA CURRIE

~~~~~

Jerry Wiggin MP
House of Commons

From Jerry Wiggin TD, MP



COMMITTEE OFFICE
HOUSE OF COMMONS
LONDON SW1A 0AA

01-219 3262/3 (Direct Line)
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01-219 3000 (Switchboard)
01-219 6606 (Fax Group 3)

AGRICULTURE COMMITTEE

7 February 1989

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Yours ever

Jerry Wiggin
Chairman

Mrs Edwina Currie MP
House of Commons

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ITEM 1: PREVENTION OF RAW EGGS SALES FROM INFECTED POULTRY FLOCKS
(MISC 138(89) 3)

OBJECTIVES AND DECISIONS

1. MAFF has issued notices under the Zoonoses Order 1975 prohibiting the sale of raw eggs from poultry flocks known to be, or suspected of being, infected with certain strains of salmonella. The purpose of this item is to decide whether compensation should be paid to flock owners and, if so, whether this should be financed by the Government or whether a Bill should be introduced this Session to provide for the costs of compensation to be met by the industry.

BACKGROUND

2. The prohibition notices issued on Friday 27 January will expire on Friday 10 February. Current advice is that if a prohibition in respect of a particular flock is maintained for more than a few days, the eggs will be unmarketable and the flock owner will have no practical alternative but to slaughter his flock. The Animal Health Act 1981 provides that compulsory slaughter should always be accompanied by Government compensation. However, there is no such provision under the Zoonoses Order, under which the notices were issued. The Attorney General has advised that these notices are defensible provided they remain in place for only a few days but that if they remain in place for any longer then there is a serious risk of successful challenge by way of judicial review. The flock owners would claim that the Minister had been acting unreasonably in imposing on egg producers constraints which effectively obliged them to slaughter their poultry, but without recourse to compensation, when powers were available under the 1981 Act to have provided compensation.

MAIN ISSUES

3. The first question is whether the Government should simply continue to act without providing compensation, await any legal challenges and, if they are forthcoming, seek to fight them off. In favour of this, it can be argued that it is wrong to feather-bed the poultry industry and that it would be preferable for the Government

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to have its hand forced by the courts rather than volunteer a scheme. On the other hand, Government would not wish to embark lightly on a course which was vulnerable to judicial review. You will wish to invite the Attorney General, the Chief Secretary and the Minister of Agriculture to comment on this.

4. Even if it is decided to seek to fight off any legal challenges, the prospects may well not be good. You will therefore wish the meeting to consider the question of compensation. On this, Mr MacGregor has identified a number of permutations. They amount essentially either to the making of Orders under the 1981 Act to provide for compulsory slaughter with Government-financed compensation, or the introduction of immediate primary legislation to amend the 1981 Act so as to place the burden of compensation on to the poultry industry itself.

5. If there is to be a scheme funded by Government, there needs to be a decision about how the costs are to be met. MAFF estimate that the annual cost of compensation might be of the order of £1.5-2 million, and that the total cost of measures which they are taking to tackle salmonella would be around £6.3 million in a full year. You will wish to probe with the Minister of Agriculture whether they would be able to bear the costs of a compensation scheme, and invite the Chief Secretary to comment.

6. The alternative would be to have a compensation scheme funded by the poultry industry itself. You will wish to invite the Lord President and the Lord Privy Seal to comment on the possibilities of introducing a Bill this Session to force flock owners to reimburse the Government's expenses in relation to salmonella. They may take the view that, bearing in mind the relatively small amount of money involved, it would be unwise for the Government to introduce a Bill on this narrow issue in advance of a general review of compensation policy, the outcome of which may well require further legislation in the next Session. As to the effect on the present Session's legislative programme, it seems unlikely that the Bill would take up very much time on the floor of the House of Commons; the time taken

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in the House of Lords is likely to depend on whether it is classified as a Money Bill.

7. The Minister of Agriculture suggests that a Bill may raise issues of compatibility with EC law and with the European Convention on Human Rights. You may wish to ask for the Attorney General's assessment of these risks.

8. Regardless of how it is decided to deal with the immediate question of compensation for egg producers, the Minister of Agriculture and the Chief Secretary agree that there is a strong case for establishing a wider review of Government policy on compensation for food producers. You may wish to confirm that the Group are content for such a review to be set up and, if so, to invite the Minister of Agriculture, in consultation with the Chief Secretary, to submit detailed proposals for consideration at the Group's next meeting.

HANDLING

9. You will wish to invite the Minister of Agriculture to introduce his Memorandum. The Attorney General will be able to comment on the prospects of success of any legal challenges. You may wish to invite the Minister of Agriculture to comment on whether the egg producers will be capable of financing an industry-financed compensation scheme. The Chief Secretary will wish to comment on the implications for the Exchequer of a Government-financed scheme. The Lord President and the Lord Privy Seal will have comments on the Parliamentary prospects of a short Bill this Session to establish self-financing compensation arrangements for egg producers.

R.N.

6 February 1989

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ITEM 2. PROPOSED INQUIRY INTO THE MICROBIOLOGICAL SAFETY OF FOOD (Minutes of 30 January and 6 February by Mr Clarke; minute of 1 February from Mr Major; minutes of 6 February from Mr MacGregor.)

1. You will wish the Group to decide whether to establish a Committee of Inquiry, drawing on outside experts, into the microbiological safety of food.

MAIN ISSUES

2. It is common ground that the Government needs to draw on outside expertise to advise it on matters relating to food safety. The Health Secretary proposes that a Committee should be established to provide a source of the authoritative advice which is needed. He also believes that the establishment of such a committee would enable the Government to regain the initiative.

3. Both you and the Chief Secretary expressed doubts about setting up a committee when the proposal was first put forward last week. Mr MacGregor was initially in favour, but now believes that such a committee would merely tend to duplicate the work of existing committees dealing with particular aspects of food safety.

4. The Health Secretary has not put forward any significant new arguments. You will wish to consider whether you are convinced about the benefits of establishing such a committee. It is not completely clear how it would work, given that Mr Clarke sees it "as operating primarily within Government". But there is an obvious risk that a committee which straddled the whole field would be unwieldy and that it would take a long time to formulate proposals. Indeed Mr Clarke only envisages that the committee's interim conclusions would be covered in the Food Bill next Session. You may agree with the Chief Secretary and the Minister of Agriculture that it would be preferable for the Government to continue to make ad hoc arrangements for drawing on outside expertise as required, for example in the form of research projects on particular topics.

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5. You will also wish to consider whether the establishment of the Committee would, as Mr Clarke believes, assist the Government to regain the public initiative. You may feel that it might instead be taken either as a gimmick or as suggesting that the problems in this area were more profound than the Government had so far admitted; and it might excite further speculation about possible changes in Departmental responsibilities. There is also a risk that the conclusions of the inquiry would be unwelcome to the Government. This would be especially embarrassing if the report were submitted after the Food Bill planned for next Session had been introduced.

HANDLING

6. You will wish to invite the Health Secretary to introduce this item. The Chief Medical Officer has been closely associated with the idea of a Committee of Inquiry, and you may wish to invite him to comment next. You may then wish to invite the Minister of Agriculture and the Chief Secretary to comment. Other members of the Group will have political points to make.

RJW

6 February 1989

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Richard Ryder Esq MP
Parliamentary Secretary (Commons)
Ministry of Agriculture Fisheries & Food
Whitehall Place
London
SW1A 0AA

February 1989

Thank you for copying to us your letter of 29 January to John Major outlining the issues which need to be addressed in the light of the decision to impose restrictions on premises known or suspected of salmonella infection and to prohibit the sale of eggs from such premises. I have now seen Kenneth Clarke's response of 30 January.

As you know statutory responsibility for the operation of the Zoonoses Order 1975, under which the restriction notices are to be served, rests in Scotland with the Secretary of State, albeit executive responsibility is carried out on his behalf by the State Veterinary Service. I therefore welcome the opportunity to comment on the submission which accompanied your letter.

I note that you are considering the possibility of delegating responsibility for the registration of poultry units to Local Authorities. My officials learned of this only a few days ago. I appreciate that the additional burdens imposed as a result of the salmonella issue are causing a severe strain on the resources of the State Veterinary Service but I have major reservations about the wisdom of assigning responsibility for registration to LAs. Politically I am concerned that we could be open to the charge of "passing the buck" but I am also fearful that this could open the way for local authorities to seek the registration by them of all food production units including farms. At a time when generally we are seeking to encourage LAs to cut expenditure this proposal will also be criticised as a move in the other direction. Certainly I would want to be clearer on what additional resources might be provided before my officials engage in discussion with COSLA on this.

On the question of compensation, I recognise to some extent the force of Kenneth Clarke's argument that this is difficult to justify where the premises concerned are a risk to human health. In saying this I am particularly conscious that the recent "compensation" scheme attracted a fair measure of criticism but on the other hand the principle of compulsory slaughter with compensation is well established (eg TB and Brucellosis) and I think we have to bear in mind that though premises

may be classified as infected this might not be the case of the majority of the birds themselves or of the eggs. I think we have to consider this further. I certainly agree that we need the views of the Law Officers on the legal position.

As regards the naming of infected premises I am not clear as to what this is intended to achieve. Certainly it will satisfy those clamouring for the naming of "guilty" parties but to what end? Since, presumably, it would not be the intention to seek to recall eggs which may have been produced on the premises what will simply happen is that we will heighten public concern and there could be unjustified panic as members of the public seek to establish - by no means an easy task - from whence their already purchased eggs originated. Kenneth's comments that naming infected premises will prevent the farmer concerned from unloading his hens is not I suggest valid. The egg industry, despite the number of birds and eggs produced, is in fact quite a "small world" and the motives of anyone seeking to unload birds will be closely questioned.

I am copying this letter to the Chief Secretary, the Secretaries of State for Health, Wales and Northern Ireland, the Attorney General, Lord Advocate and Solicitor General for Scotland.

Tom Egan
Tom Egan

SANDERSON OF BOWDEN

- 1) Mr Myers for advice please
- 2) cc private offices
 - Mr Smith
 - Mr Capstick
 - Mr Hadley
 - Mr Jenkins
 - Mr Meldrum
 - Mr Cruickshank
 - Ms Attridge
 - Mr Dickinson
 - Mr McElehan
 - ~~Mr~~ Dr Dawson
 - Mr Evans
 - Mr Coe
 - Mr Ring
 - Mr Yavash
 - Mr McIvor
 - Mr Suich
 - Mr Lawrence
 - Mr Howard.

V. Sealey
A/S/M Pydes
2 February 1989



(SHE)
ROYAL COURTS OF JUSTICE
LONDON, WC2A 2LL

Richard Ryder Esq., MP,
Parliamentary Secretary,
Ministry of Agriculture, Fisheries & Food,
Whitehall Place,
London,
SW1A 2HH

1 CC issued
as before

2. Part Dec. to see —

31 January 1989

12 → Richard:

PREVENTION OF RAW EGG SALES FROM INFECTED POULTRY FLOCKS

You copied to me your letter of yesterday to John Major in connection with the measures to be taken in consequence of the decision to prevent the sale of raw eggs from poultry flocks known to be, or suspected of being, infected with certain strains of salmonella. You have asked me to advise on two matters, namely those raised at paragraphs 21 and 25 of the paper you enclosed with your letter.

Paragraph 21 essentially invites my assessment of the risk of a successful challenge to the notices issued under Article 4 of the Zoonoses Order 1975 on the assumption that no arrangements are made for compensation. Any such challenge is likely to be founded on the argument that the Minister has acted unreasonably by adopting a course which will inevitably bring about the slaughter of poultry without compensation, when it is open to him to apply by order the provisions of Schedule 3 to the Animal Health Act 1981 where Parliament has conferred an entitlement to compensation for the compulsory slaughter of poultry. I have considered the advice tendered by Treasury Counsel in Conference at the end of last week and I endorse his conclusions as summarised in the Annex to the paper circulated with your letter. Since Counsel advised, however, it has become apparent that eggs from infected flocks are unlikely to be marketable even for pasteurisation. In consequence, one of the defences envisaged by Counsel as a



possible response to any judicial review proceedings will no longer be available, and in the light of that consideration there is now, in my judgment, a serious risk that a notice issued under the Zoonoses Order could be successfully challenged by way of judicial review on the ground that the Minister is acting "Wednesbury unreasonably" or otherwise improperly by imposing on egg producers constraints which effectively oblige them to slaughter their poultry, but without recourse to compensation, despite his power to extend to them the provisions for compulsory slaughter in Schedule 3.

You asked me to consider also the question raised in paragraph 25 of your paper, about disclosure of the identity of egg producers on whom notices have been served. I am satisfied that there is no legal constraint against such publication. However, as there appears to be no likelihood that those eggs which have been the subject of notices under the Zoonoses Order will reach the market for public consumption, you will no doubt wish to consider whether the public interest would be served by such publication, which could seriously undermine confidence both in the relevant producer's future products and in the products of those of his flocks to which the notices do not apply.

I am sending a copy of this letter to Kenneth Clarke, John Major, Malcolm Rifkind, Peter Walker and Tom King, and to Sir Donald Acheson.

Yours ever,

P. Walker



DEPARTMENT OF HEALTH

Richmond House, 79 Whitehall, London SW1A 2NS

Telephone 01-210 5150

From the Chief Medical Officer

Sir Donald Acheson KBE DM DSc FRCP FFCM FFOM

Mr D H Andrews CB CBE
Permanent Secretary
MAFF
Whitehall Place
LONDON
SW1A 2HH

31 January 1989

Dear Derek,

PASTEURISATION OF EGGS

Thank you for your letter of 30 January asking for my advice on the acceptability of pasteurisation of eggs from flocks infected with salmonella species under the new arrangements being developed by MAFF.

Pasteurisation of eggs is effective when carried out properly under well-controlled conditions and when the raw egg being pasteurised is not too heavily contaminated. Information on the level of contamination of eggs from infected flocks is not available. Whereas in the past eggs from infected and uninfected flocks were likely to be mixed in the pasteurisation process, so lowering the average level, the restrictions now in place will, I imagine lead to these eggs being treated separately and therefore possibly to higher levels of contamination in the material entering the pasteurisation plant when they are being processed than was the case formerly.

The above would lead one to advise some caution in permitting the use of pasteurisation, but need not necessarily preclude its use if suitable information on levels of contamination were available.

E.R.

However, I understand that the British Egg Producers Association, which represents about 80% of the industry has refused to handle these eggs anyway. This would mean that these poorer quality eggs would be preferentially handled by the smaller pasteurisers who are likely to be least well able to handle this material and to have less good quality control.

Clearly it would be undesirable both on public health and presentational grounds for any questions to be raised about the acceptability of pasteurised egg at this time.

For the above reasons, I would therefore advise against the use of pasteurisation for eggs from infected flocks in these particular circumstances.

Yours
Sincerely

Arnold Aden

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Private Office	Mr Dickson
Mr Smith	Mr. [unclear]
Mr Capstick	Dr. [unclear]
Mr Madley	Mr Evans
Mr Jenkins	Mr [unclear]
Mr Meldrum	Mr [unclear]
Mr [unclear]	Mr [unclear]
Mrs [unclear]	Mr [unclear]
Mr [unclear]	Mr [unclear]
	Mr Lawrence
	Mr [unclear]

Treasury Chambers, Parliament Street, SW1P 3AG

Richard Ryder Esq MP
 Parliamentary Secretary
 Ministry of Agriculture, Fisheries and Food
 Whitehall Place
 London
 SW1

30th January 1989

Dear Richard,

SALMONELLA IN EGGS

Thank you for your letter of 29 January which enclosed a paper by your officials on this subject. I note that we are still awaiting advice from the Chief Medical Officer and from the Law Officers on a number of issues. We may need to meet later this week when this advice is available.

However, I think I should make it clear at the outset that I see very considerable disadvantages in setting up a slaughter and compensation scheme under the terms of the Animal Health Act 1981 as at present drafted. Such a scheme would inevitably be open to criticism as further evidence of the Government being more concerned to protect the livelihood of producers than the interests of consumers (the individual sums involved at the rates of compensation you suggest could be quite large for a flock of, say, 20,000 hens). Other producers outside the agricultural sector do not expect to receive compensation if they are required to withdraw potentially dangerous products from the market. It is not clear to me why farmers should be treated differently in this respect. Moreover, I remain concerned both that a slaughter and compensation scheme would represent poor value for money because of the risk of reinfection referred to in John MacGregor's minute of 16 December and that it might lead to a very considerable open-ended public expenditure commitment particularly if it proved difficult to ringfence action on salmonella in egg laying flocks from other types of poultry.

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For all these reasons I do not consider that it would be advisable to set up a traditional slaughter and compensation scheme on the lines you suggest. However, I recognise that the effects of the movement restriction orders which we have announced could have serious consequences for individual producers if retesting confirms that salmonella remains present in the flocks which have been notified. I would therefore support the introduction of compensation or insurance measures if the producers were prepared to fund them themselves. As you know, there is a useful precedent for this in the agricultural area in the scheme to control Aujeszky's disease in pigs. If the producers seek to set up a scheme on these lines I think that we should be prepared to do all we can to facilitate it, for example by supporting any necessary legislation.

As regards the additional costs of the rest of the salmonella control measures outlined in paragraphs 17 to 19 of the MAFF paper, I see no reason why these costs should not be contained within the existing MAFF PES programme both in 1988-89 and 1989-90. We can discuss how the costs should be absorbed in the later years in this year's public expenditure Survey.

I am copying this letter to the Prime Minister, Kenneth Clarke, Patrick Mayhew, Malcolm Rifkind, Peter Walker and Tom King and to Sir Donald Acheson and Sir Robin Butler.

Yours Ever,
John

JOHN MAJOR





DEPARTMENT OF HEALTH AND SOCIAL SECURITY

Richmond House, 79 Whitehall, London SW1A 2NS

Telephone 01 210 3000

SSE

From the Secretary of State for ~~Health~~ Health

- 1) Mr. Crickbank
- 2) cc private offices

Mr. Smith
 Mr. Caffick
 Mr. Hadley
 Richard Ryder Esq MP
 Ministry of Agriculture, Fisheries and Food
 Whitehall Place
 LONDON
 SW1A 2HH

for urgent advice please

Mr. Jenkins
 Mr. Wetherby
 Mr. Meldrum
 Mr. Crawford
 Mr. Aldridge

Mr. Myers
 Mr. Robinson
 Mr. McTear
 Mr. Pearson
 Mr. Evans
 Mr. Cole

f. Soley
 A/S Mr. Hyde
 30 January 1

Mr. King
 Mr. Atwood
 Mr. Yavash
 Mr. Malvar
 Mr. Litch
 Mr. Lawrence
 Mr. Howard
 Mr. Borning

30 January 1989

Dear Robert,

SALMONELLA AND EGGS

I believe that the decision to prevent the sale of eggs from flocks which are known to be infected by salmonella enteritidis or salmonella typhimurium is amply justified by the need to reduce the risk of food poisoning to human consumers. The extent to which this measure will or will not reduce the extent of salmonella in the nations laying flocks is of secondary importance.

I shall be extremely surprised if anyone challenges successfully in the Courts a notice that is served under the Order so long as we are careful to act on good evidence. On the briefing I have seen, two farms were very clear candidates indeed.

I see no case at all for going to a compulsory slaughter and compensation scheme. If we are to contemplate such a scheme, surely we should know what it is going to achieve in terms of improved public safety and what it is going to cost.

I am dubious about the arguments in favour of our continuing refusal to name the farmers. I see no legal reason for not naming them so long as our public statements are careful and accurate and based on evidence. There could be a public interest argument if refusal to name helped to encourage co-operation by farmers with the PHLs and MAFF. However if farmers prohibited from selling eggs merely sell their laying hens to other farmers, then in my opinion we will have to name them.

I am sending a copy of this letter to John Major.

KENNETH CLARKE



Ministry of Agriculture, Fisheries and Food
Whitehall Place, London SW1A 2HH

From the Parliamentary Secretary (Commons)

The Rt Hon John Major MP
Chief Secretary to the Treasury
HM Treasury
Parliament Street
LONDON SW1P 3AG

- Mr. F. G. Smith
- Mr. Capstick
- Mr. Hadley
- Mr. Jenkins
- Mr. Wootton
- Mr. Melrose
- Mr. Crawford
- Ms. Attridge
- Mr. Myers
- Mr. Parkinson
- Mr. McEldowney
- Mr. Lawson
- Mr. Craddock
- Mr. Evans
- Mr. C. J. ...
- Mr. Ring
- Mr. Atwood
- Mr. Yarrow
- Mr. ...
- Mr. Smith

29³ January 1989

John John,

Following our decision to prohibit the sale of eggs from flocks known to be, or suspected of being, infected with Salmonella enteritidis and other similar types of salmonella we must decide quickly on related measures.

The attached submission has been drawn up by my officials in consultation with your own.

We will be under immediate pressure to announce if we intend to introduce compulsory slaughter and compensation, since the sales ban will force owners to destroy their flocks. You will see from the submission that my officials, and the PHLS, no longer regard pasteurisation as a viable sales alternative. However, the CMO's advice is being sought on this score.

Annex 1 contains the legal advice agreed by our respective legal advisers, following consultation with Treasury Counsel. This indicates that there would be a significant risk (under the Animal Health Act 1981) of legal challenge from a Judicial Review, with a chance that such a challenge could succeed unless we provided for compulsory slaughter with compensation.

There are two points, in particular, where I think it would be very helpful to receive the views of the Law Officers. They are set out in paragraphs 21 and 25 of the submission. Indeed, the Law Officers' opinion on paragraph 21 and Annex 1 is crucial to further discussions.

I hope that we can reach decisions so that an announcement, one way or the other, can be made early in the week.

I am sending copies of this letter to the Secretary of State for Health, the Attorney General, the Secretaries of State for Scotland, Wales and Northern Ireland and the Chief Medical Officer.

Tom Eves,
Richard.

RICHARD RYDER



SALMONELLA IN EGGS

PREVENTION OF RAW EGG SALES FROM INFECTED FLOCKS

1. The Government is serving notices on premises with flocks which are known to be, or are suspected of being, infected with certain strains of salmonella so as to prevent the sale of eggs in a raw state from these flocks for direct human consumption. The purpose of this note is to seek Ministers' agreement on the measures to be taken in connection with this decision, and to set out the implications of these measures.

OBJECTIVE

2. This is one amongst a series of measures to tackle the problem at all stages of the production chain from feed production through breeding flocks and commercial laying flocks to packers and consumers. It is important to emphasise that the objective of these measures can only be to reduce the burden of salmonella contamination in the flock and the incidence of egg-related food poisoning in humans. It is not possible, because of the ubiquitous and persistent nature of salmonella organisms, to devise measures which will eliminate salmonella food poisoning.

ACTION

3. In accordance with the decisions which Ministers have already taken, MAFF officials are taking immediate action under powers available in the Zoonoses Order 1975 to prevent the sale of eggs in a raw state for direct human consumption from poultryhouses containing hens known to be, or suspected of being, infected with *Salmonella enteritidis* or *Salmonella typhimurium*. *Salmonella enteritidis* and *typhimurium* are the only serotypes associated with recent egg-related outbreaks in humans. If, however, a future outbreak of food poisoning associated with another invasive serotype is actually traced to eggs it will be necessary to apply similar measures in that particular case.

4. Infection in flocks will initially be identified by reports from the Public Health Laboratory Service, other diagnostic laboratories, Environmental Health Officers and from investigations by the Veterinary Service of MAFF in response to reports of isolations under the Zoonoses Order 1975. We had already announced a decision to make an Order requiring laying flock owners to submit their flocks regularly to bacteriological monitoring by MAFF-listed laboratories and to report positive results. It is proposed that flock owners should be required to register with their local authorities. Until this is done - and it will take time to complete our negotiations with local authorities and for the register to be compiled by them - there will be some uncertainty as to the extent to which monitoring is taking place and positive results are being reported. Negotiations with local authorities have already begun.

5. It had already been announced before notices were served under the Zoonoses Order that requirements will be introduced both to monitor, and register, flocks which contain more than 25 laying hens or from which eggs are sold. This formula will include all the 45,000 breeding flocks and commercial laying flocks on agricultural holdings in Great Britain as well as an unknown number of backyard flocks not on agricultural holdings. The proposed restrictions would apply also to the supply to anyone other than the owner, whether by sale or not, from any infected flock.

PRACTICAL EFFECT OF PROHIBITING EGG SALES

6. In the course of a meeting between the pasteurisation industry and the Chief Veterinary Officer on Friday 27 January, the British Egg Products Association made it clear that their members would not knowingly accept eggs for pasteurisation from infected flocks. Moreover, very recent doubts have been expressed by the PHLS about the effectiveness of pasteurisation if the material to be processed is heavily loaded with infection. In the light of the meeting on 27 January, and the views expressed by the PHLS at that meeting, MAFF

are seeking the advice of the CMO on whether the degree of risk is such that eggs from flocks covered by notice, should not be moved off the premises for pasteurisation.

7. Whether or not the CMO's advice confirms the PHLs views, most owners of flocks where infection is confirmed will in practice, for economic reasons, have no alternative but to slaughter their hens and cease production until the State Veterinary Service (SVS) is satisfied that the notice can be withdrawn.

LEGAL CONSIDERATIONS

8. In the view of legal advisers, a flock owner could probably not recover damages from the Ministry in respect of his losses. However, particularly as pasteurisation seems not to be an available option, he might well be able to challenge the legality of a notice successfully by judicial review on the grounds that the notice was unreasonable in that it had effectively led to a requirement to slaughter but that Ministers had failed to follow the procedure, envisaged by Parliament in such cases, in that they had made no Order under the Animal Health Act 1981 providing for compulsory slaughter with compensation. The arguments are set out in detail by legal advisers in Annex I. (Our legal adviser is clear that under the Act compensation must be provided if livestock is compulsorily slaughtered. The only way of avoiding this obligation would be to introduce primary legislation.)

COMPULSORY SLAUGHTER WITH COMPENSATION

9. Ministers are therefore faced with a choice of providing for compulsory slaughter with compensation or not making such provision with the attendant likelihood of depriving flock owners of their livelihoods and risking judicial review.

10. Apart from the value of slaughtered birds, owners would also be faced with consequential loss, including the loss of egg sales. The cost of compulsory cleansing and disinfection could also be very substantial; the cost of paying contractors to cleanse and disinfect

a large deep-pit poultryhouse, containing up to 20,000 birds, could be as much as 50,000. Following slaughter, the cleansing and disinfection process will take anything up to a month to be carried out properly, and before producers are permitted to reintroduce hens the SVS would need to be satisfied, through swabbing, that the cleansing and disinfection had been thorough. The SVS would also monitor the health status of the incoming birds before restocking took place. Even then, the CVO advises (as was said in the joint DOH/MAFF evidence to the Select Committee) that there can be no guarantee that the salmonella in question had been eliminated or that it would not be reintroduced from outside, for example from rodents or birds.

11. The precedent, generally, when MAFF orders slaughter is that the Government bears the cost of cleansing and disinfection. However, legal advisers confirm that under the Zoonoses Order there is no requirement on MAFF to compensate flock owners for the costs of cleansing and disinfection.

12. If Ministers decide to opt for compulsory slaughter it will be necessary to establish the rate of compensation. Under the Animal Health Act 1981 it would be possible to pay a flat rate for birds which are diseased, but for other birds the rate payable must be 'the value of the birds immediately before slaughter'. This presents two difficulties. As birds are not sold while in lay there is no satisfactory way of assessing their value. Furthermore, as adult birds infected with salmonella usually exhibit no clinical symptoms it is not possible to determine on that basis which are diseased. In fact, very few birds in the flock may be infected. It is therefore proposed that the proportion of diseased birds should be assessed by reference to the proportion of the sample found positive by laboratory examination; compensation would then be paid at a flat rate for the proportion considered to be diseased and at the appropriate valuation for the non-diseased proportion. The flat rate would be fixed; the valuation of the non-diseased birds would be determined according to the age and type of bird on the individual holding.

13. In theory, it would be possible to recoup some of the cost of compensation for slaughtered flocks by allowing them to go for human consumption, in which case they would have a modest salvage value. Likewise, there is no technical reason why they should not be rendered into meat and bonemeal for animal feed. Presentationally, however, this would be a difficult argument to sustain, so on balance Ministers may prefer that compulsorily slaughtered birds should be destroyed by incineration or burial under the supervision of the SVS, in order to keep them out of the human or animal food chain.

DISPOSAL OF FLOCKS IN ABSENCE OF COMPULSORY SLAUGHTER

14. If Ministers decide not to require compulsory slaughter and compensation flock owners could not be prevented from selling their hens unless the birds, as well as the eggs, were made subject to a notice prohibiting their removal from the premises for this purpose. The effect of this, however, combined with a ban on egg sales, would be to force the producer to destroy his flock at a total loss, so such a notice would be very susceptible to challenge by judicial review as discussed in paragraph 8 and Annex I. The consequence of successful proceedings would be a declaration that the notice was invalid and in these circumstances the Government would normally accept liability and pay compensation. Such proceedings would undoubtedly be expedited and could lead to a declaration within days.

15. The judgement of the CVO is that it would not be possible to justify on public health grounds a prohibition on the disposal of the hens for human consumption through licensed slaughterhouses. Moreover, if a flock owner was left with responsibility for disposing of his hens without compensation, he might pursue a minimum-cost policy, such as depriving his hens of feed. This could result in serious animal welfare problems.

23. If it is decided to introduce compulsory slaughter with compensation under the Animal Health Act 1981 there is bound to be pressure from flock owners who are placed under restrictions and may have to slaughter their birds before the Order is in force. Ministers will wish to consider whether ex-gratia payments should be made in such cases.

24. If Ministers are concerned about an open-ended commitment to compensation it would be possible to confine this measure initially to a limited duration while consideration was given to the legal and policy issues involved in reviewing the current compensation arrangements under the Animal Health Act 1981, and to alternative ways of funding through the industry.

NAMING OF OWNERS OF INFECTED FLOCKS

25. There is considerable pressure on the Government publicly to name known infected flocks and this pressure is likely to intensify now that notices have been served. The SVS has always depended upon a free flow of information, often of a confidential nature, between themselves and producers, when the latter have suspected that their animals are diseased. Legal advisers further consider that since disclosure can contribute nothing to achievement of the Government's purpose in reducing infection in animals, but could have a lastingly damaging effect on the business of the producer concerned, Ministers should not agree to publish the identity of infected flocks. A claim against MAFF has in fact already been threatened by a flock owner who considers that, though it was not the Department's intention, his identity can be deduced from information published by the Department. Again, this is a matter on which the Law Officers should advise.

SUMMARY OF CONCLUSIONS

26. (i) Ministers have decided to prohibit the sale or supply of eggs from flocks which are known to be, or are suspected of being, infected with certain strains of salmonella (paragraph 1).

19. Some expenditure will be incurred in the current financial year, both on staff costs and, if Ministers so decide, on compensation. Funds are available in MAFF's existing provision to meet likely expenditure on compensation (Vote 3) but it is not clear whether they would be for running costs (Vote 5). However, MAFF consider that for 1989/90 and beyond additional provision will be required on MAFF's vote to cover the cost of the series of measures which have already been decided. The provision required for 1989/90 will be as in paragraphs 17 and 18 above and there will be continuing costs in subsequent years. Extra provision will also be required to cover local authorities' costs. The Treasury consider that costs of the order suggested can be contained within the existing PES provision both in 1988/89 and 1989/90.

PROCEDURE AND TIMING

20. Action will have been taken by the evening of 30 January to serve notices on 26 commercial laying flocks and 8 breeding flocks. There will be intense pressure from the industry to know whether the Government will introduce compulsory slaughter with compensation. An announcement will therefore be necessary early in the week beginning 30 January.

21. If it were decided not to compensate, we would need to make that decision clear. We would also need to explain the justification. As the legal advice in Annex I (paragraph 3) indicates, it would be difficult to do this particularly if pasteurisation is ruled out as an option. The legal basis of an announcement of this sort would need further consideration by the Law Officers.

22. An Order under the Animal Health Act 1981 to introduce a compulsory monitoring requirement would not be subject to parliamentary procedure. An Order under the same Act providing for compulsory slaughter and compensation would be subject to negative resolution procedure. Both orders would be introduced as quickly as possible, though this could be achieved only by giving them absolute priority over other measures to deal with the salmonella problem (and some other problems in the animal health sector).

MONITORING OF EFFECTIVENESS OF POLICY

16. The measures described in paragraphs 3 to 5 form part of wider action decided and announced, aimed at reducing salmonella in egg production and the incidence of egg-related food poisoning. The number of samples found positive and of cases of human food poisoning will provide indications of the effectiveness of the series of measures as a whole. But it will not be possible to quantify the specific contribution which the prohibition of egg sales and the slaughter of flocks may make.

COSTS

17. The cost falling on MAFF's running costs of the series of measures which has been decided and announced is estimated at £2.1 M to cover manpower and running costs and £0.2 M for capital. Details have been given to the Treasury. In addition, there is a group of further research projects relating to salmonella which are estimated to cost a further £1.75 M in 1989/90.

18. If Ministers decide on compulsory slaughter with compensation, assuming destruction of between 1½ million and 2 million birds a year (ie. up to 5% of the commercial laying flock) with compensation at an average £1 per bird the annual cost might be of the order of £1.5 million to £2 million. These figures assume a range of payments from £1.75 per bird at the point of lay to 25p on culling for healthy birds, and a flat rate of 25p per bird for the calculated proportion of diseased birds in the flock. The figures (and the running cost figures in paragraph 17) make no provision for slaughter and disposal costs, which could amount to £½ M. They also assume that no payments would be made for the cost of cleansing and disinfection. These figures are our best estimates. If, however, the more extensive monitoring already under way reveals higher levels of infection than so far disclosed the costs could be greater. Furthermore, although other elements in our series of measures should eventually help to reduce the prevalence of infection in flocks, there may not be a drastic reduction at least within the first year.

- (ii) Ministers are invited to decide that the prohibition should be applied in respect of salmonella enteritidis and salmonella typhimurium, but that it will also be necessary in future to apply it in any particular case if food poisoning associated with another invasive serotype is traced to a flock (paragraph 3).
- (iii) Ministers are invited to agree that owners of flocks of over 25 birds, or which sell eggs, should be required to carry out regular bacteriological monitoring and, as soon as the necessary legislation is in place, to register with local authorities (paragraph 5).
- (iv) Ministers are advised that the possibility of pasteurisation as a permissible use for eggs from infected flocks has been explored, but that the trade association has said that its members will not accept eggs from known infected flocks for pasteurisation. So this seems not to be a feasible option (paragraph 6).
- (v) Given the recent views expressed by the PHLS and bearing in mind that about 20% of pasteurisation plant owners are not represented by the trade association, Ministers will wish to consider in the light of the CMO's further advice whether the sale of eggs from infected farms for pasteurisation should be banned (paragraph 6).
- (vi) Ministers are therefore advised that the prohibition of egg sales will force owners to have their flocks slaughtered (paragraph 7).
- (vii) Ministers are further advised that the service of notices prohibiting the movement of eggs or poultry off infected farms, in the absence of compulsory slaughter and compensation arrangements, would in these circumstances be liable to challenge by judicial review and would give rise to possible animal welfare problems (paragraphs 14 and 15).

- (viii) Ministers are invited to decide whether they wish to introduce urgent provisions for compulsory slaughter with compensation and, if so, whether such provisions should be time-limited, while consideration is given to the legal and policy issues involved in reviewing the current compensation arrangements under the Animal Health Act 1981, and to alternative ways of funding through the industry (paragraph 24).
- (ix) Ministers are also invited to decide whether they would wish to require compulsorily slaughtered birds to be destroyed rather than salvaged for human consumption or animal feed use (paragraph 13).
- (x) Ministers are furthermore invited to decide that the costs of compulsory cleansing and disinfection should be borne by the flock owner (paragraph 11).
- (xi) Ministers are advised not to disclose the identity of farms on which notices have been served on suspicion of disease. They may wish to consider taking the advice of the Law Officers as to whether information should be released where disease has been confirmed (paragraph 25).

Ministry of Agriculture, Fisheries & Food
28 January 1989

SALMONELLA IN EGGS : SLAUGHTER AND COMPENSATION

1. Under the present proposal, the intention is that, in respect of flocks known or suspected to be affected with certain strains of salmonella, notices should be served under the provisions of the Zoonosis Order 1975 declaring the relevant premises in each case to be an infected place, and declaring that any eggs in that place shall only be moved under the authority of a licence granted by a veterinary inspector. In effect, licences will only be granted for the movement of eggs intended for pasteurisation. The notices will provide that they may be withdrawn or varied at any time by service of a further notice. I have been asked to advise on the legal implications of this proposal, having regard to the slaughter and compensation provisions of the Animal Health Act 1981.

2. Together with Miss Weldon of the Treasury Solicitors Department and Mr Milledge of the Law Officers' Department, Mr McElheran and I discussed the matter with Treasury Counsel (Mr John Laws) in Conference. Mr Laws advised that compensation for loss caused as a result of notices served under Article 4 of the Zoonosis Order 1975 was not payable under the Animal Health Act 1981 as it now stands, and that, although an Order could be made under section 29 of the 1981 Act extending the slaughter and compensation provisions to salmonella infected flocks, the Minister could not be compelled to make such an Order. Moreover, even if an aggrieved party succeeded in proceedings to quash such a notice, he would not, as the law now stands, be entitled to recover damages. This left the question of whether such a notice could indeed be quashed, and how important the failure to introduce a compensation scheme would be in any such proceedings.

3. In this connection, Mr Laws felt that the main problem was the delay which had occurred before notices were served under the 1975 Order. An applicant for judicial review would no doubt argue that the Minister had had ample time in which to set up a proper scheme for dealing with the salmonella problem, including time for introducing arrangements for slaughter and compensation under section 29 of the 1981 Act, and that the hurried action that was now proposed should be quashed as unreasonable on the so-called "Wednesbury" principle. As against that, the Minister could respond (in Mr Laws' view) that the service of Article 4 notices was a more appropriate measure than slaughter and compensation, since it allowed eggs to be sold for pasteurisation, and that there was, in any case, doubt about the value of statutory compensation if a section 29 Order were made. Paragraph 5(2) of Schedule 3 to the Animal Health Act requires the Minister to pay compensation for poultry suspected of being diseased, as opposed to poultry actually diseased, equal to "the value of the bird immediately before it was slaughtered": in the circumstances, that value seemed unlikely to be very great. Finally, the Minister might be able to derive some assistance from the fact that notices under Article 4 could be amended or revoked, and that MAFF will quickly re-inspect any flock to which a notice relates. At least in the short-term, the notices could therefore be presented as a holding measure.

4. In offering this advice, Mr Laws was considering a hypothetical case, and did not have before him the facts of any particular example. On this basis, his analysis has to be treated with caution, and it is fairly obvious that the strength (or indeed the availability) of the defences he suggests will depend on individual circumstances. Thus, the option of pasteurisation may not be real one, and the "short-term" nature of a notice served under Article 4 of

the 1975 Order may not offer a plausible argument in a case heard sometime after the relevant notice was served.

5. To sum up, Treasury Counsel considered that the Minister is not under a direct legal obligation to pay compensation (nor, indeed, can he be made liable in damages). However, the failure to provide compensation can be expected to be an important ingredient in any claim that the Article 4 notices be quashed on grounds of unreasonableness. Mr Laws has not advised that, in the absence of a compensation scheme, such a claim will succeed: he was unable to give firm advice one way or the other, without having more information than that which was available to him. He nevertheless considered that any proceedings by way of judicial review would be risky to defend, and that the outcome of such proceedings was quite unpredictable. This was particularly the case if any of the suggested defences were not available, and having regard to the general circumstances which had surrounded the action now being taken.

S. Kissack (PP-y.J.J.)

G J JENKINS

27 JANUARY 1989

MR STRANG - PS/PARL SEC

cc PS/Permanent Secretary

Mr E J G Smith

Mr A Cruickshank

Mr Meldrum

Mr Suich

Mr McElheran

Mr Munir

Mr Yavash

PRIME MINISTER

EGGS AND SALMONELLA

MAFF have so far issued notices under the Zoonoses Order to twelve farms preventing them from selling fresh eggs. Of these, four have now been thoroughly inspected and the notices against them are being lifted. It is likely, however, that notices will be issued to other farms in the next few days.

MAFF and Treasury are still arguing over the issue of whether compensation has legally to be paid to farms subject to notices. I believe legal advice is indicating that it does. The Treasury have argued that, if this is confirmed, a short Bill should be introduced to impose a compensation scheme which would be financed by contributions from the industry.

This has yet to be resolved.

AT

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ANDREW TURNBULL

1 February 1989

CONFIDENTIAL

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Treasury Chambers, Parliament Street, SW1P 3AG

Richard Ryder Esq MP
Parliamentary Secretary
Ministry of Agriculture, Fisheries and Food
Whitehall Place
London
SW1

30th January 1989

Dear Richard,

SALMONELLA IN EGGS

will request if required - have got letter to Ryder

Thank you for your letter of 29 January which enclosed a paper by your officials on this subject. I note that we are still awaiting advice from the Chief Medical Officer and from the Law Officers on a number of issues. We may need to meet later this week when this advice is available.

However, I think I should make it clear at the outset that I see very considerable disadvantages in setting up a slaughter and compensation scheme under the terms of the Animal Health Act 1981 as at present drafted. Such a scheme would inevitably be open to criticism as further evidence of the Government being more concerned to protect the livelihood of producers than the interests of consumers (the individual sums involved at the rates of compensation you suggest could be quite large for a flock of, say, 20,000 hens). Other producers outside the agricultural sector do not expect to receive compensation if they are required to withdraw potentially dangerous products from the market. It is not clear to me why farmers should be treated differently in this respect. Moreover, I remain concerned both that a slaughter and compensation scheme would represent poor value for money because of the risk of reinfection referred to in John MacGregor's minute of 16 December and that it might lead to a very considerable open-ended public expenditure commitment particularly if it proved difficult to ringfence action on salmonella in egg laying flocks from other types of poultry.

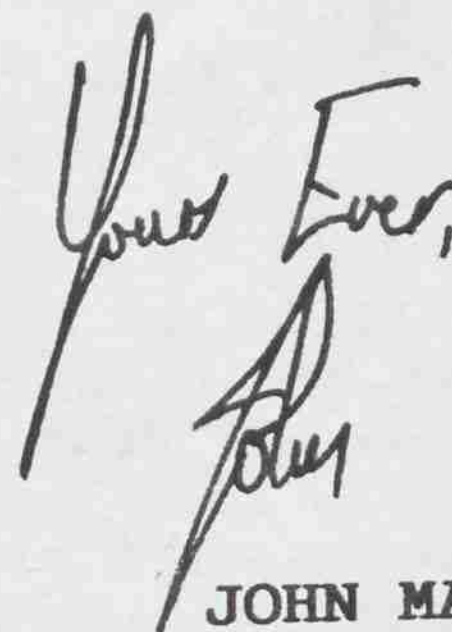
Agriculture - salmonella 88

CONFIDENTIAL

For all these reasons I do not consider that it would be advisable to set up a traditional slaughter and compensation scheme on the lines you suggest. However, I recognise that the effects of the movement restriction orders which we have announced could have serious consequences for individual producers if retesting confirms that salmonella remains present in the flocks which have been notified. I would therefore support the introduction of compensation or insurance measures if the producers were prepared to fund them themselves. As you know, there is a useful precedent for this in the agricultural area in the scheme to control Aujeszky's disease in pigs. If the producers seek to set up a scheme on these lines I think that we should be prepared to do all we can to facilitate it, for example by supporting any necessary legislation.

As regards the additional costs of the rest of the salmonella control measures outlined in paragraphs 17 to 19 of the MAFF paper, I see no reason why these costs should not be contained within the existing MAFF PES programme both in 1988-89 and 1989-90. We can discuss how the costs should be absorbed in the later years in this year's public expenditure Survey.

I am copying this letter to the Prime Minister, Kenneth Clarke, Patrick Mayhew, Malcolm Rifkind, Peter Walker and Tom King and to Sir Donald Acheson and Sir Robin Butler.

Your Ever,


JOHN MAJOR





Ministry of Agriculture, Fisheries and Food
Whitehall Place, London SW1A 2HH

From the Parliamentary Secretary (Commons)

The Rt Hon John Major MP
Chief Secretary to the Treasury
HM Treasury
Parliament Street
LONDON SW1P 3AG

29th January 1989

Dear John,

Following our decision to prohibit the sale of eggs from flocks known to be, or suspected of being, infected with Salmonella enteritidis and other similar types of salmonella we must decide quickly on related measures.

The attached submission has been drawn up by my officials in consultation with your own.

We will be under immediate pressure to announce if we intend to introduce compulsory slaughter and compensation, since the sales ban will force owners to destroy their flocks. You will see from the submission that my officials, and the PHLS, no longer regard pasteurisation as a viable sales alternative. However, the CMO's advice is being sought on this score.

Annex 1 contains the legal advice agreed by our respective legal advisers, following consultation with Treasury Counsel. This indicates that there would be a significant risk (under the Animal Health Act 1981) of legal challenge from a Judicial Review, with a chance that such a challenge could succeed unless we provided for compulsory slaughter with compensation.

There are two points, in particular, where I think it would be very helpful to receive the views of the Law Officers. They are set out in paragraphs 21 and 25 of the submission. Indeed, the Law Officers' opinion on paragraph 21 and Annex 1 is crucial to further discussions.

I hope that we can reach decisions so that an announcement, one way or the other, can be made early in the week.

I am sending copies of this letter to the Secretary of State for Health, the Attorney General, the Secretaries of State for Scotland, Wales and Northern Ireland and the Chief Medical Officer.

Tom Eves,
Richard.

RICHARD RYDER



SALMONELLA IN EGGS

PREVENTION OF RAW EGG SALES FROM INFECTED FLOCKS

1. The Government is serving notices on premises with flocks which are known to be, or are suspected of being, infected with certain strains of salmonella so as to prevent the sale of eggs in a raw state from these flocks for direct human consumption. The purpose of this note is to seek Ministers' agreement on the measures to be taken in connection with this decision, and to set out the implications of these measures.

OBJECTIVE

2. This is one amongst a series of measures to tackle the problem at all stages of the production chain from feed production through breeding flocks and commercial laying flocks to packers and consumers. It is important to emphasise that the objective of these measures can only be to reduce the burden of salmonella contamination in the flock and the incidence of egg-related food poisoning in humans. It is not possible, because of the ubiquitous and persistent nature of salmonella organisms, to devise measures which will eliminate salmonella food poisoning.

ACTION

3. In accordance with the decisions which Ministers have already taken, MAFF officials are taking immediate action under powers available in the Zoonoses Order 1975 to prevent the sale of eggs in a raw state for direct human consumption from poultryhouses containing hens known to be, or suspected of being, infected with *Salmonella enteritidis* or *Salmonella typhimurium*. *Salmonella enteritidis* and *typhimurium* are the only serotypes associated with recent egg-related outbreaks in humans. If, however, a future outbreak of food poisoning associated with another invasive serotype is actually traced to eggs it will be necessary to apply similar measures in that particular case.

4. Infection in flocks will initially be identified by reports from the Public Health Laboratory Service, other diagnostic laboratories, Environmental Health Officers and from investigations by the Veterinary Service of MAFF in response to reports of isolations under the Zoonoses Order 1975. We had already announced a decision to make an Order requiring laying flock owners to submit their flocks regularly to bacteriological monitoring by MAFF-listed laboratories and to report positive results. It is proposed that flock owners should be required to register with their local authorities. Until this is done - and it will take time to complete our negotiations with local authorities and for the register to be compiled by them - there will be some uncertainty as to the extent to which monitoring is taking place and positive results are being reported. Negotiations with local authorities have already begun.

5. It had already been announced before notices were served under the Zoonoses Order that requirements will be introduced both to monitor, and register, flocks which contain more than 25 laying hens or from which eggs are sold. This formula will include all the 45,000 breeding flocks and commercial laying flocks on agricultural holdings in Great Britain as well as an unknown number of backyard flocks not on agricultural holdings. The proposed restrictions would apply also to the supply to anyone other than the owner, whether by sale or not, from any infected flock.

PRACTICAL EFFECT OF PROHIBITING EGG SALES

6. In the course of a meeting between the pasteurisation industry and the Chief Veterinary Officer on Friday 27 January, the British Egg Products Association made it clear that their members would not knowingly accept eggs for pasteurisation from infected flocks. Moreover, very recent doubts have been expressed by the PHLS about the effectiveness of pasteurisation if the material to be processed is heavily loaded with infection. In the light of the meeting on 27 January, and the views expressed by the PHLS at that meeting, MAFF

are seeking the advice of the CMO on whether the degree of risk is such that eggs from flocks covered by notice, should not be moved off the premises for pasteurisation.

7. Whether or not the CMO's advice confirms the PHLS views, most owners of flocks where infection is confirmed will in practice, for economic reasons, have no alternative but to slaughter their hens and cease production until the State Veterinary Service (SVS) is satisfied that the notice can be withdrawn.

LEGAL CONSIDERATIONS

8. In the view of legal advisers, a flock owner could probably not recover damages from the Ministry in respect of his losses. However, particularly as pasteurisation seems not to be an available option, he might well be able to challenge the legality of a notice successfully by judicial review on the grounds that the notice was unreasonable in that it had effectively led to a requirement to slaughter but that Ministers had failed to follow the procedure, envisaged by Parliament in such cases, in that they had made no Order under the Animal Health Act 1981 providing for compulsory slaughter with compensation. The arguments are set out in detail by legal advisers in Annex I. (Our legal adviser is clear that under the Act compensation must be provided if livestock is compulsorily slaughtered. The only way of avoiding this obligation would be to introduce primary legislation.)

COMPULSORY SLAUGHTER WITH COMPENSATION

9. Ministers are therefore faced with a choice of providing for compulsory slaughter with compensation or not making such provision with the attendant likelihood of depriving flock owners of their livelihoods and risking judicial review.

10. Apart from the value of slaughtered birds, owners would also be faced with consequential loss, including the loss of egg sales. The cost of compulsory cleansing and disinfection could also be very substantial; the cost of paying contractors to cleanse and disinfect

a large deep-pit poultryhouse, containing up to 20,000 birds, could be as much as 50,000. Following slaughter, the cleansing and disinfection process will take anything up to a month to be carried out properly, and before producers are permitted to reintroduce hens the SVS would need to be satisfied, through swabbing, that the cleansing and disinfection had been thorough. The SVS would also monitor the health status of the incoming birds before restocking took place. Even then, the CVO advises (as was said in the joint DOH/MAFF evidence to the Select Committee) that there can be no guarantee that the salmonella in question had been eliminated or that it would not be reintroduced from outside, for example from rodents or birds.

11. The precedent, generally, when MAFF orders slaughter is that the Government bears the cost of cleansing and disinfection. However, legal advisers confirm that under the Zoonoses Order there is no requirement on MAFF to compensate flock owners for the costs of cleansing and disinfection.

12. If Ministers decide to opt for compulsory slaughter it will be necessary to establish the rate of compensation. Under the Animal Health Act 1981 it would be possible to pay a flat rate for birds which are diseased, but for other birds the rate payable must be 'the value of the birds immediately before slaughter'. This presents two difficulties. As birds are not sold while in lay there is no satisfactory way of assessing their value. Furthermore, as adult birds infected with salmonella usually exhibit no clinical symptoms it is not possible to determine on that basis which are diseased. In fact, very few birds in the flock may be infected. It is therefore proposed that the proportion of diseased birds should be assessed by reference to the proportion of the sample found positive by laboratory examination; compensation would then be paid at a flat rate for the proportion considered to be diseased and at the appropriate valuation for the non-diseased proportion. The flat rate would be fixed; the valuation of the non-diseased birds would be determined according to the age and type of bird on the individual holding.

13. In theory, it would be possible to recoup some of the cost of compensation for slaughtered flocks by allowing them to go for human consumption, in which case they would have a modest salvage value. Likewise, there is no technical reason why they should not be rendered into meat and bonemeal for animal feed. Presentationally, however, this would be a difficult argument to sustain, so on balance Ministers may prefer that compulsorily slaughtered birds should be destroyed by incineration or burial under the supervision of the SVS, in order to keep them out of the human or animal food chain.

DISPOSAL OF FLOCKS IN ABSENCE OF COMPULSORY SLAUGHTER

14. If Ministers decide not to require compulsory slaughter and compensation flock owners could not be prevented from selling their hens unless the birds, as well as the eggs, were made subject to a notice prohibiting their removal from the premises for this purpose. The effect of this, however, combined with a ban on egg sales, would be to force the producer to destroy his flock at a total loss, so such a notice would be very susceptible to challenge by judicial review as discussed in paragraph 8 and Annex I. The consequence of successful proceedings would be a declaration that the notice was invalid and in these circumstances the Government would normally accept liability and pay compensation. Such proceedings would undoubtedly be expedited and could lead to a declaration within days.

15. The judgement of the CVO is that it would not be possible to justify on public health grounds a prohibition on the disposal of the hens for human consumption through licensed slaughterhouses. Moreover, if a flock owner was left with responsibility for disposing of his hens without compensation, he might pursue a minimum-cost policy, such as depriving his hens of feed. This could result in serious animal welfare problems.

MONITORING OF EFFECTIVENESS OF POLICY

16. The measures described in paragraphs 3 to 5 form part of wider action decided and announced, aimed at reducing salmonella in egg production and the incidence of egg-related food poisoning. The number of samples found positive and of cases of human food poisoning will provide indications of the effectiveness of the series of measures as a whole. But it will not be possible to quantify the specific contribution which the prohibition of egg sales and the slaughter of flocks may make.

COSTS

17. The cost falling on MAFF's running costs of the series of measures which has been decided and announced is estimated at £2.1 M to cover manpower and running costs and £0.2 M for capital. Details have been given to the Treasury. In addition, there is a group of further research projects relating to salmonella which are estimated to cost a further £1.75 M in 1989/90.

18. If Ministers decide on compulsory slaughter with compensation, assuming destruction of between 1½ million and 2 million birds a year (ie. up to 5% of the commercial laying flock) with compensation at an average £1 per bird the annual cost might be of the order of £1.5 million to £2 million. These figures assume a range of payments from £1.75 per bird at the point of lay to 25p on culling for healthy birds, and a flat rate of 25p per bird for the calculated proportion of diseased birds in the flock. The figures (and the running cost figures in paragraph 17) make no provision for slaughter and disposal costs, which could amount to £½ M. They also assume that no payments would be made for the cost of cleansing and disinfection. These figures are our best estimates. If, however, the more extensive monitoring already under way reveals higher levels of infection than so far disclosed the costs could be greater. Furthermore, although other elements in our series of measures should eventually help to reduce the prevalence of infection in flocks, there may not be a drastic reduction at least within the first year.

19. Some expenditure will be incurred in the current financial year, both on staff costs and, if Ministers so decide, on compensation. Funds are available in MAFF's existing provision to meet likely expenditure on compensation (Vote 3) but it is not clear whether they would be for running costs (Vote 5). However, MAFF consider that for 1989/90 and beyond additional provision will be required on MAFF's vote to cover the cost of the series of measures which have already been decided. The provision required for 1989/90 will be as in paragraphs 17 and 18 above and there will be continuing costs in subsequent years. Extra provision will also be required to cover local authorities' costs. The Treasury consider that costs of the order suggested can be contained within the existing PES provision both in 1988/89 and 1989/90.

PROCEDURE AND TIMING

20. Action will have been taken by the evening of 30 January to serve notices on 26 commercial laying flocks and 8 breeding flocks. There will be intense pressure from the industry to know whether the Government will introduce compulsory slaughter with compensation. An announcement will therefore be necessary early in the week beginning 30 January.

21. If it were decided not to compensate, we would need to make that decision clear. We would also need to explain the justification. As the legal advice in Annex I (paragraph 3) indicates, it would be difficult to do this particularly if pasteurisation is ruled out as an option. The legal basis of an announcement of this sort would need further consideration by the Law Officers.

22. An Order under the Animal Health Act 1981 to introduce a compulsory monitoring requirement would not be subject to parliamentary procedure. An Order under the same Act providing for compulsory slaughter and compensation would be subject to negative resolution procedure. Both orders would be introduced as quickly as possible, though this could be achieved only by giving them absolute priority over other measures to deal with the salmonella problem (and some other problems in the animal health sector).

23. If it is decided to introduce compulsory slaughter with compensation under the Animal Health Act 1981 there is bound to be pressure from flock owners who are placed under restrictions and may have to slaughter their birds before the Order is in force. Ministers will wish to consider whether ex-gratia payments should be made in such cases.

24. If Ministers are concerned about an open-ended commitment to compensation it would be possible to confine this measure initially to a limited duration while consideration was given to the legal and policy issues involved in reviewing the current compensation arrangements under the Animal Health Act 1981, and to alternative ways of funding through the industry.

NAMING OF OWNERS OF INFECTED FLOCKS

25. There is considerable pressure on the Government publicly to name known infected flocks and this pressure is likely to intensify now that notices have been served. The SVS has always depended upon a free flow of information, often of a confidential nature, between themselves and producers, when the latter have suspected that their animals are diseased. Legal advisers further consider that since disclosure can contribute nothing to achievement of the Government's purpose in reducing infection in animals, but could have a lastingly damaging effect on the business of the producer concerned, Ministers should not agree to publish the identity of infected flocks. A claim against MAFF has in fact already been threatened by a flock owner who considers that, though it was not the Department's intention, his identity can be deduced from information published by the Department. Again, this is a matter on which the Law Officers should advise.

SUMMARY OF CONCLUSIONS

26. (i) Ministers have decided to prohibit the sale or supply of eggs from flocks which are known to be, or are suspected of being, infected with certain strains of salmonella (paragraph 1).

- (ii) Ministers are invited to decide that the prohibition should be applied in respect of salmonella enteritidis and salmonella typhimurium, but that it will also be necessary in future to apply it in any particular case if food poisoning associated with another invasive serotype is traced to a flock (paragraph 3).
- (iii) Ministers are invited to agree that owners of flocks of over 25 birds, or which sell eggs, should be required to carry out regular bacteriological monitoring and, as soon as the necessary legislation is in place, to register with local authorities (paragraph 5).
- (iv) Ministers are advised that the possibility of pasteurisation as a permissible use for eggs from infected flocks has been explored, but that the trade association has said that its members will not accept eggs from known infected flocks for pasteurisation. So this seems not to be a feasible option (paragraph 6).
- (v) Given the recent views expressed by the PHLS and bearing in mind that about 20% of pasteurisation plant owners are not represented by the trade association, Ministers will wish to consider in the light of the CMO's further advice whether the sale of eggs from infected farms for pasteurisation should be banned (paragraph 6).
- (vi) Ministers are therefore advised that the prohibition of egg sales will force owners to have their flocks slaughtered (paragraph 7).
- (vii) Ministers are further advised that the service of notices prohibiting the movement of eggs or poultry off infected farms, in the absence of compulsory slaughter and compensation arrangements, would in these circumstances be liable to challenge by judicial review and would give rise to possible animal welfare problems (paragraphs 14 and 15).

- (viii) Ministers are invited to decide whether they wish to introduce urgent provisions for compulsory slaughter with compensation and, if so, whether such provisions should be time-limited, while consideration is given to the legal and policy issues involved in reviewing the current compensation arrangements under the Animal Health Act 1981, and to alternative ways of funding through the industry (paragraph 24).
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- (xi) Ministers are advised not to disclose the identity of farms on which notices have been served on suspicion of disease. They may wish to consider taking the advice of the Law Officers as to whether information should be released where disease has been confirmed (paragraph 25).

Ministry of Agriculture, Fisheries & Food
28 January 1989

SALMONELLA IN EGGS : SLAUGHTER AND COMPENSATION

1. Under the present proposal, the intention is that, in respect of flocks known or suspected to be affected with certain strains of salmonella, notices should be served under the provisions of the Zoonosis Order 1975 declaring the relevant premises in each case to be an infected place, and declaring that any eggs in that place shall only be moved under the authority of a licence granted by a veterinary inspector. In effect, licences will only be granted for the movement of eggs intended for pasteurisation. The notices will provide that they may be withdrawn or varied at any time by service of a further notice. I have been asked to advise on the legal implications of this proposal, having regard to the slaughter and compensation provisions of the Animal Health Act 1981.

2. Together with Miss Weldon of the Treasury Solicitors Department and Mr Milledge of the Law Officers' Department, Mr McElheran and I discussed the matter with Treasury Counsel (Mr John Laws) in Conference. Mr Laws advised that compensation for loss caused as a result of notices served under Article 4 of the Zoonosis Order 1975 was not payable under the Animal Health Act 1981 as it now stands, and that, although an Order could be made under section 29 of the 1981 Act extending the slaughter and compensation provisions to salmonella infected flocks, the Minister could not be compelled to make such an Order. Moreover, even if an aggrieved party succeeded in proceedings to quash such a notice, he would not, as the law now stands, be entitled to recover damages. This left the question of whether such a notice could indeed be quashed, and how important the failure to introduce a compensation scheme would be in any such proceedings.

3. In this connection, Mr Laws felt that the main problem was the delay which had occurred before notices were served under the 1975 Order. An applicant for judicial review would no doubt argue that the Minister had had ample time in which to set up a proper scheme for dealing with the salmonella problem, including time for introducing arrangements for slaughter and compensation under section 29 of the 1981 Act, and that the hurried action that was now proposed should be quashed as unreasonable on the so-called "Wednesbury" principle. As against that, the Minister could respond (in Mr Laws' view) that the service of Article 4 notices was a more appropriate measure than slaughter and compensation, since it allowed eggs to be sold for pasteurisation, and that there was, in any case, doubt about the value of statutory compensation if a section 29 Order were made. Paragraph 5(2) of Schedule 3 to the Animal Health Act requires the Minister to pay compensation for poultry suspected of being diseased, as opposed to poultry actually diseased, equal to "the value of the bird immediately before it was slaughtered": in the circumstances, that value seemed unlikely to be very great. Finally, the Minister might be able to derive some assistance from the fact that notices under Article 4 could be amended or revoked, and that MAFF will quickly re-inspect any flock to which a notice relates. At least in the short-term, the notices could therefore be presented as a holding measure.

4. In offering this advice, Mr Laws was considering a hypothetical case, and did not have before him the facts of any particular example. On this basis, his analysis has to be treated with caution, and it is fairly obvious that the strength (or indeed the availability) of the defences he suggests will depend on individual circumstances. Thus, the option of pasteurisation may not be real one, and the "short-term" nature of a notice served under Article 4 of

the 1975 Order may not offer a plausible argument in a case heard sometime after the relevant notice was served.

5. To sum up, Treasury Counsel considered that the Minister is not under a direct legal obligation to pay compensation (nor, indeed, can he be made liable in damages). However, the failure to provide compensation can be expected to be an important ingredient in any claim that the Article 4 notices be quashed on grounds of unreasonableness. Mr Laws has not advised that, in the absence of a compensation scheme, such a claim will succeed: he was unable to give firm advice one way or the other, without having more information than that which was available to him. He nevertheless considered that any proceedings by way of judicial review would be risky to defend, and that the outcome of such proceedings was quite unpredictable. This was particularly the case if any of the suggested defences were not available, and having regard to the general circumstances which had surrounded the action now being taken.

S. Kissack (PP-y.J.J.)

G J JENKINS

27 JANUARY 1989

MR STRANG - PS/PARL SEC

cc PS/Permanent Secretary

Mr E J G Smith

Mr A Cruickshank

Mr Meldrum

Mr Suich

Mr McElheran

Mr Munir

Mr Yavash



114
MJ200Y

10 DOWNING STREET
LONDON SW1A 2AA

From the Principal Private Secretary

27 January 1989

EGGS AND SALMONELLA

The Prime Minister has considered whether it would be better to answer the PQ announcing restriction notices on infected farms today or after the weekend when it might attract less publicity. She felt that it had already taken long enough to reach a conclusion on this issue and she therefore favoured an announcement today.

She has noted that the issue of any compensation has still to be resolved. The idea of restriction notices on farms was not part of the package of measures listed in the Minister of Agriculture's paper of 16 December. It would be helpful for the overall plan on salmonella to be re-examined to see how these new measures fit into it.

I am copying this letter to Carys Evans (Chief Secretary's Office) and Andy McKeon (Department of Health).

Andrew Turnbull

W.F.G. Strang, Esq.,
Ministry of Agriculture, Fisheries and Food.

244



DEPARTMENT OF HEALTH

Richmond House, 79 Whitehall, London SW1A 2NS

Telephone 01-210 5150

From the Chief Medical Officer

Sir Donald Acheson KBE DM DSc FRCP FFCM FFOM

The Rt Hon John Major MP
Chief Secretary to the Treasury
HM Treasury
Parliament Street
LONDON
SW1P 3AG

26 January 1989

Dear Mr Major,

I agreed that I would write to you to confirm the views which I expressed at our meeting which has just ended.

If a flock of laying hens is known or suspected of infection with *S. enteritidis* or any other type of invasive salmonella there is a significant risk that infected eggs will be sold for human consumption. I am of the view that it is highly desirable, for public health reasons, that action should be taken to prevent all fresh eggs from such flocks being sold to the public.

*y
yours*

Sincerely

Donald Acheson

Copy: Mr N L Wicks, No 10
Mr R Ryder, MAFF

PRIME MINISTER

EGGS AND SALMONELLA

MAFF have put down a PQ tonight to enable them to announce their intention to impose restriction orders on infected farms. They propose to answer it tomorrow.

The Treasury have put forward a case for delaying until Monday:

- i. There is no certainty that this policy will work in the longer term as farms can easily be reinfected.
- ii. There is a risk that the evidence on which an order was based would, in a court, turn out to be insufficient.
- iii. It is better to wait until after the weekend. There might be no press reports and by Monday the announcement would be lost in the NHS review.

There may be something in i. but on ii. the position is not going to change between Friday and Monday. The argument at iii. does not stand up either - we are not doing this in order to ward off criticism in the press but because there is a genuine public health hazard and we are already at risk of criticism that we have delayed too long.

Agree answer tomorrow?

AT

Yes no

Andrew Turnbull

26 January 1989

P.S. All this still leaves open question of whether compensation is paid. It wasn't for Farley's trucks - nor would it be for recalled cars.

AT 21/1

RM

CONFIDENTIAL

MR TURNBULL

26 January 1989

SALMONELLA IN EGGS

You asked whether we should pursue further the idea of a widely publicised joint MAFF/DoH statement about salmonella in eggs. Mrs Stagg's letter of 20 January suggested that the joint written evidence submitted to the Agriculture Select Committee already met the bill.

I do not think we need pursue the idea further because:

- i. when I submitted my advice just before Christmas, it was not certain that the two Departments would be able to agree on joint written evidence - they have in fact done so;
- ii. John MacGregor has now told the House that he will be legislating on a number of the provisions in the voluntary Codes of Practice drawn up for breeders, egg producers and animal protein processors - before Christmas, he was still 'thinking about this';
- iii. egg sales are now back to around 80% of their level before Mrs Currie's original statement - this is a much better recovery than most of us expected before Christmas.
- iv. Though political problems remain, the impression of disunity in Whitehall has now faded.

A further reason for resting on the Select Committee evidence is Mrs Currie's latest explanation of what she meant. A high profile publication by the Government now could actually renew public fears about eating eggs.

CONFIDENTIAL

CONFIDENTIAL

It is a pity that the serious press commentators have not taken more notice of the Select Committee evidence. But their fire is now partly directed elsewhere.

I read the Hansard account of the debate on food and consumer protection last Tuesday. The very poor attendance by Labour MPs deprived the attack of much of its force. The focus of debate was widely scattered. Sir Richard Body's intervention (copy attached) was probably the most challenging.

You may like to see the paragraph in Richard Gueterbock's letter of 4 January to me answering the points you raised about the disposal of carcasses from the hen culling scheme. The short answer is that none of the carcasses from the slaughtering scheme will be converted into protein feed. But MAFF are anxious that the Government should not say anything to imply that protein processing is wrong in principle.

I see no reason to press for further action on these points.



CAROLYN SINCLAIR

[Mr. Kennedy]

In passing, I am grateful to the hon. Member for Moray (Mrs. Ewing) for bringing to my attention at the start of the debate the need to give greater emphasis within our veterinary schools to the training of vets in food hygiene. The Riley report, which is being actively considered, concerns the rationalisation of provision of veterinary training centres and is liable to lead to a reduction of about 20 clinical teaching posts. Certainly, in a Scottish context, as the hon. Lady is anxious to have on the record, any move towards a single student centre or centre of excellence is bound to lead to the dismemberment of the Glasgow veterinary college school as it exists.

Mrs. Margaret Ewing: The hon. Gentleman will be aware that the majority of hon. Members who represent Scottish constituencies are concerned about the implications of the Riley report. The Secretary of State for Scotland today described it as a questionable report and said he would be discussing its contents with the principal of Glasgow university and other interested parties. Does the hon. Gentleman agree that MAFF has a responsibility to make recommendations to the University Grants Committee on food hygiene and training prior to the closing date of 31 March for submissions in response to the Riley report, particularly in the light of European legislation on food hygiene?

Mr. Kennedy: I agree with the hon. Lady and I hope that the Minister, when replying to the debate, will say whether MAFF intends to have input along those lines so that the issue is before the UGC when considering the possible rationalisation proposals. Judging from the public comments of the Secretary of State to which the hon. Lady referred, I am sure that the Department of Agriculture and Fisheries for Scotland will want to be part of that process.

In the shorter term, we shall have to await the report of the Select Committee to judge recent events, particularly in regard to salmonella and listeria. I echo the disappointment that others have expressed—I never thought that I would be saying this in this Chamber—that we shall not hear the former junior Minister, the hon. Member for Derbyshire, South (Mrs. Currie), speak in this debate and that she is not likely to give evidence before the Select Committee.

It is uncharacteristic of her to remain silent on these matters. It is also somewhat shameful in a parliamentary sense, given the public importance that has been attached to the issue. After all, her comments in December led to great public attention being given to the subject, and then there was the parliamentary follow-up and scrutiny.

We must strengthen existing institutions in MAFF. We should not blind ourselves to possible institutional changes in the longer term, by which I mean not just action in the United Kingdom but action in concert with our European colleagues.

We find the blanket nature of the condemnation in the Labour motion such that we could not support it in the Lobby tonight. Nor do we feel, short as we are of the details of the Bill which the Government will be bringing forward and the Select Committee's report, and taking account of the tone, tenor and substance of the Minister's speech, that we could support the Government in the Lobby.

5.33 pm

Sir Richard Body (Holland with Boston): In the belief that the hon. Member for Ross, Cromarty and Skye (Mr. Kennedy) was his party's official spokesman on agriculture, I was anxious to hear his views. But I am afraid that his speech left me in a state of fog. I only wish that he could speak as clearly and succinctly as the Parliamentary Secretary, whom I congratulate on an admirable speech.

I can only think of one argument in favour of the Ministry of Agriculture, Fisheries and Food as it is constituted and that is the Minister himself, and the sooner he is fit and back at work the better pleased I shall be.

The root of the trouble, to parody the words of Dean Acheson, is that the Department has lost its role of 40 years and has yet to find another. For over four decades it has had one paramount aim—to induce farmers to increase their output, then to increase it again and then yet again. That objective has overridden probably every other consideration, and the results have been magnificent.

Our cows now produce twice as much milk as they did when I went as a pupil on a dairy farm years ago. As for arable farming, the fields that I know best now yield four times more wheat than they did 40 years ago. These are amazing figures, and MAFF's leadership deserves to be congratulated on that technical achievement, as do the farmers who have been goaded into participating in the campaign. That success has been due to four factors. They are the use of nitrates, pesticides, antibiotics and hormones.

Mr. Michael Lord (Suffolk, Central): Does my hon. Friend agree that a crucial factor is simply breeding?

Sir Richard Body: Breeding what? We are now breeding wheat which can take up more nitrates. If we did not have the necessary understanding of nitrates, we would not be breeding some of the varieties of wheat that we are now using. In terms of livestock, we are breeding pigs and poultry which can respond to antibiotics in their fattening. So I regard breeding as subordinate to the four factors that I listed.

Unfortunately, the Ministry, so obsessed with this demand to increase output, has turned a blind eye to some of the hazards of those factors. This heralds a great danger and will make it that much more difficult for MAFF to discharge its other functions in future.

We have doubled time and again the use of nitrates, despite the serious evidence produced by the World Health Organisation, despite experiments in the United States that have shown that 36 species of animals have died of cancer when given more than a certain level of nitrates, and despite the legislation that is now emerging from the European Community about the dangerous levels of nitrates in much of our water supply.

The same applies to the use of pesticides. Again, MAFF has turned a blind eye to much of what has gone on in the past, for many of the pesticides that we use on our farms today were approved years ago, when the standards of testing were abysmal compared with what they are today. Indeed, I doubt whether many of those pesticides would have been approved—this is not simply my view but that of scientists and toxicologists, who are better informed than—I if they were resubmitted for testing today. And everything is covered with an appalling cloak of secrecy so

At present efforts are being concentrated on the animal protein element of feed compounds. The frequency of routine inspection visits to protein processing plants has been doubled so that extensive samples are taken on each of 20 days' production per annum in each plant, followed by additional sampling if the results are unsatisfactory. We shall be introducing secondary legislation to require processors themselves to take samples from every day's production and to require immediate notification of positive results to us. (At present the majority of operators are already in fact taking samples from each day's production). We shall also be taking powers to place restrictions on the sale of animal protein from plants where unsatisfactory standards are found.

Some rather more detailed press briefing on the whole issue of salmonella is being put together. John MacGregor had already instructed that the briefing should, among other things, put the number of cases of salmonella poisoning related to eggs in the proper context.

May I also here pick up the point in Andrew Turnbull's letter of 19 December to Shirley Stagg about not converting carcasses from the slaughtering scheme into protein feed. We do not envisage birds culled under this scheme going for rendering (protein processing). However, as I indicated above, the rendering systems in use in Great Britain will destroy any salmonella present in the raw material and the renderers play an essential role in the economics of meat production generally, in that they dispose of very large quantities of slaughterhouse waste and produce a valuable by-product. We would not wish to do or say anything which implies that protein processing is wrong in principle.

I hope this information is helpful. If you want any further information and can't get hold of officials do let me know.

yours.

Richard

RICHARD GUETERBOCK

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that the farmer, let alone the consumer, is not permitted to know the toxicological dangers of the pesticides being used.

In the livestock sector, the Ministry has been warned time and again by doctors of the dangers of using antibiotics as a growth stimulant as well as a precaution against the spread of disease on intensive farms. Even the Minister's advisers have warned that we cannot go on using them because the time will come when they will cease to be effective. Doctors have said that the use of some antibiotics is having an adverse effect on patients who, though ill, are unable to respond to antibiotic treatment.

I think that the Ministry's record on hormones is, I regret to say, abysmal and I am not sure that it is very much better at the moment. I am very disturbed, and I hope that the whole House will be disturbed at the way Monsanto Chemicals and other drug companies seem quite confident that hormones will be allowed in this country for the purpose of getting our cows to produce between 20 and 40 per cent. more milk. There are some in the medical profession who say that the hormones may not affect 99 out of 100 of us, perhaps not even 999 out of a thousand of us, but there will still be perhaps one out of a thousand whom these hormones will affect. They are disappointed that the Ministry of Agriculture is being so secretive about the tests being carried out and have expressed concern that the relationship between the drug companies and some of the Ministry officials has gone further than it really should, and I hope the Ministry, understands this concern.

I believe that the Ministry is now in difficulties and I am not talking about the ministerial team; I am talking about those further down in the pyramid who have the very important task of making sure that our food is produced decently and well and is fit for all of us to eat. Having argued for so long, as they have that those four aids were necessary, and not only necessary but perfectly safe and that everyone could just forget about it because everyone in Whitehall knew best—that has been their attitude over and over again when people have questioned them—I do not believe that they can satisfactorily swallow their words and go along with the anxieties that are known in other parts of the world and are known to some extent in this country about those four aids which we in the farming community have had to use.

That is why I think that there has to be a major change and why I hope that MAFF will be slimmed down and that some of its functions relating to food, particularly the safety and hygiene of food, will be transferred to the Department of Health, where they belong.

5.43 pm

Dr. Lewis Moonie (Kirkcaldy): I associate myself with the remarks about the Minister's absence. I sincerely hope he will be back with us quickly. While I was charitably hoping last night that the Minister's attack had not been serious, I was uncharitably hoping it might have been due to something he had eaten; but that does not appear to be the case.

I am a little surprised at the tone of injured innocence on the Government Benches today, with the notable exception of the last speaker, and the over-defensiveness of the response to this motion. I think they protest too much. We are questioning not the independence but the effectiveness of the bodies that they set up to monitor food.

We are questioning not the fact that the tried, but the fact that it has failed, a totally different things.

If I had wanted to get a cheap laugh to stood here and read out the amendment Paper. I notice they are described as "the Ministry of Agriculture, Fisher Consumers."

That is a risible remark for you. Qu amendment is laughable. It

"commends the Ministry of Agriculture, Fi on its achievements on behalf of consumer food safety, food surveillance and consu which means they have wide variety of cho foods at reasonable prices; commends it response to the emergence of health risks" and so on.

Protecting the consumer? What of the te who have suffered from food poisoning in the many who have died? We have heard n Government side today about them. Wha protect the consumer? It is of small comfo who have suffered as the result of the Government and their failure to act effect

Wholesome food? Are we referring to ch to eggs, to the burgers made from unment that are poured down people's throats, to bread that they are forced to eat, to the laden convenience foods? "It is nothing Government," they cry. That is the level o Conservative Back Benches: "It is everyb ours."

The only hygiene, the only handwashin on is Pontius Pilate washing his hands of on the Government Front Bench. [*Interrup* the Government's claims with the contemp as a notable misstatement of reality, worth by someone who boasts of having cut her co on learning how to inject air into whipped it appear to go further. That is the level of food from this Government.

Sadly, much of our modern diet is harm it does the Government no credit that they admit it, particularly in the Minister's complacent contribution to this debate.

Mr. Christopher Gill (Ludlow): Will the give way?

Dr. Moonie: No, I will not.

Dame Elaine Kellett-Bowman: Cowardly

Dr. Moonie: This is a serious debate. I do hon. Members who have been trying to inte tone very well.

Let us consider first of all bacteri contamination of food. The salmonella in eggs has been well described recently. Th known to me, as a worker in preventive med over 10 years, and nothing has been done that period. Listeriosis likewise has been kno time to be a potential contaminant. C infection in milk, sadly, is still prevalent. Th other examples I could give, but I had bette

Let us extend the analogy. Look at the con aluminium so recently aired; the hormones use of antibiotics, so eloquently referred to Member for Holland with Boston (Si



Ministry of Agriculture, Fisheries and Food
Whitehall Place London SW1A 2HH

From the Minister's Private Office

Mr A Turnbull
Principal Private Secretary
10 Downing Street
London SW1A 2AA

20 January 1989

Dear Andrews

SALMONELLA IN EGGS

flap.

In your letter of 23 December you recorded that the Prime Minister had suggested developing the material prepared for the Select Committee on Agriculture into a Government statement which could be issued more widely.

The paper which we and Department of Health submitted jointly to the Select Committee, of which you have already had a copy, was in fact prepared with a wider audience in mind. It covers inter alia the three points which you mention, namely historical trends, experience in other countries and action being taken throughout the food chain. As such it is a definitive statement of the Government's position on the salmonella problem. The Select Committee themselves decided to release the evidence submitted to them, thus removing any constraints of parliamentary privilege. We and Department of Health are therefore now using the paper for the wider purposes which the Prime Minister envisaged. A shorter note has also been circulated to backbenchers, and my Minister answered on Wednesday a Parliamentary Question setting out more concisely the action we have taken; I enclose a copy of the ... reply.

Your letter raised two other points. One of these, about the disposal of carcasses from the hen culling scheme, was answered in Richard Gueterbock's letter of 4 January to Carolyn Sinclair. The other was whether we propose to make the voluntary Codes of Practice statutory. Mr MacGregor does in fact intend to make some of the Codes' provisions statutory - for example the recommendations that poultry breeders, hatcheries, commercial egg producers and animal protein processors should carry out bacteriological monitoring. These requirements, together with a number of others not mentioned

/in the Codes,...

in the Codes, will be brought in by means of a series of statutory instruments as soon as possible. There are however some other provisions in the Codes - for example advice to keep numbers of visitors to a minimum - which do not lend themselves to statutory enforcement, and we are therefore proposing to retain the Codes to provide flexible guidance to the industry on these points.

Shirley
Stagg *MS*

SHIRLEY STAGG (MRS)
Principal Private Secretary

MINISTRY OF AGRICULTURE, FISHERIES AND FOOD
PARLIAMENTARY QUESTION

Question No: Written 147

Date: Wednesday 18 January 1989

(On Order Paper: Wednesday 18 January 1989)

Mr Michael Lord (Central Suffolk): To ask the Minister of Agriculture, Fisheries and Food, if he will list the action he is taking on salmonella in eggs.

Mr MacGregor:

Since the summer of 1988 we have been preparing and adopting a series of measures designed to tackle the salmonella problem at each point along the chain from poultry feedingstuffs, through the breeding flocks and hatcheries to the laying houses, and then on into the home. I am now proposing a number of further measures to reinforce the action already taken.

To minimise the risk of salmonella in poultry feedingstuffs, my Department has doubled the rate of inspections in protein processing plants so that samples are now taken annually from 20 days production from each plant instead of 10 days production as previously. I propose shortly to bring in new statutory provisions requiring protein processors to take samples from each day's production, to have them tested at MAFF-listed laboratories, and to notify MAFF immediately of positive results. I also propose to take powers to stop the supply of products from processing plants where salmonella is found, until action has been taken to ensure that uncontaminated products are being produced.

New arrangements for imported animal protein are currently being introduced. These will involve a graded series of controls reflecting our previous experience of contamination levels in material from particular sources.

To minimise the risk of infection through breeding stock, two Codes of Practice have been introduced for poultry breeders and hatcheries. I propose to introduce secondary legislation requiring the registration of breeding flocks and hatcheries, requiring breeders to arrange regular bacteriological monitoring of their birds and of the hatcheries, and requiring breeders to supply MAFF with veterinary certificates setting out the results of that monitoring. This legislation will also enable Ministry officers to restrict sales of poultry and hatching eggs when invasive salmonellae are found.

For commercial laying flocks, similarly, a Code of Practice has been introduced. I propose now to introduce a requirement on operators to carry out regular bacteriological monitoring, together with strengthened statutory requirements about the control of rodents, with provision for compulsory cleansing and disinfection and requirements for the hygienic handling of eggs.

In order to underline the importance of hygienic handling of food in the home, a major education campaign will be launched early this year. This campaign is designed to reduce the incidence of food poisoning generally.

Salmonella is an International problem. So I have also been consulting colleagues in Europe and the United States.

I believe that this range of measures amounts to one of the most comprehensive programmes for dealing with salmonella in any country in the world.



Ministry of Agriculture, Fisheries and Food
Whitehall Place, London SW1A 2HH

Prime Minister (2)

From the Minister

The Rt Hon John Major MP
Chief Secretary
Treasury
Parliament Street
London SW1P 3AG

11 January 1989

Dear John,

EGGS

As we discussed last night, I am writing to give you a progress report on the two emergency Schemes we introduced for eggs in the light of the exceptional circumstances affecting the egg market before Christmas.

The closing date for applications for the Hen Slaughter Scheme is now past and a total of 61 applications have been received for the UK in respect of 786,000 birds. I should stress that this is in respect of applications, all of which we are offering to accept. But producers' commercial judgement, particularly in the light of current feeling, may well mean that actual offers in the event will be lower. This compares with the original provision for up to a maximum of 4 million birds.

You will recall that the Scheme was deliberately directed at hens at the beginning of their laying cycle, so as to affect production for up to a year ahead. It does not benefit producers wishing to make very short term adjustments by culling hens towards the end of their lay, which is what the industry wanted the Scheme to do and I rejected. The Scheme thus ensures that action is limited to that which the industry itself judged to be appropriate for the medium term. It is encouraging that the uptake has been well below the maximum level provided for.

You will also recall that when we discussed this together at the Treasury, I emphasised that in my view it was necessary to offer such a Scheme then to give confidence to the industry that more than just the short-term was being covered; but that the crucial figure was the £1.50 per bird which was deliberately set low. If producers' confidence returned at least to a reasonable extent as a result of the measures we were taking, as I hoped it would, then the amount of expenditure involved would be well short of

/the maximum. I ...

the maximum. I am glad to say that it looks as though that is how it has turned out.


Similarly, for the Eggs Scheme, provision was made for aiding the destruction of up to 1.1 million cases (396 million eggs) for the UK as a whole. Half-way through the scheme, offers have been made in respect of just over 300,000 cases. We do not know how the remaining two weeks will turn out, but we should have already covered the period when uptake was likely to be at its greatest.

This Scheme also has an inbuilt mechanism to ensure that it is drawn upon only to the extent demanded by the market situation, since it could have no attractions for packers once the market price has risen above the very low compensation offer of 30p per dozen. We have been monitoring the operation of the scheme and I am very glad to note that it was able rapidly to bring some stability to the market; and that the benefit of the compensation payments made for this purpose are demonstrably being passed back to the producer.

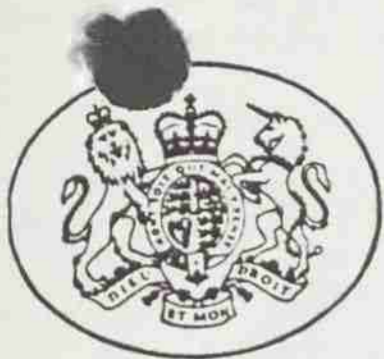
The signs are, therefore, that the package, including the advertisement, has been a success. We will have achieved our objectives of halting the crisis, bringing some stability back to the market, preventing possibly a considerable number of producers getting into very real difficulty through no fault of their own (although problems for many do remain) and averting a difficult political situation in the two weeks around Christmas. And we shall have done so, as I hoped, at a cost well below the maximum we agreed.

I will let you have more complete figures as soon as possible after the Eggs Scheme has come to an end.

+ I am copying this letter to the Prime Minister, Malcolm Rifkind, Tom King and Peter Walker.

Yours ever,


JOHN MacGREGOR



MINISTRY OF AGRICULTURE FISHERIES AND FOOD

WHITEHALL PLACE LONDON SW1 A 2HH

DIRECT LINE 01-233

OR SWITCHBOARD 01-233 3000

Telephone: 01-270 8482/8638

Carolyn Sinclair
10 Downing Street
LONDON
SW1A 2AA

4 January 1989

Dear Carolyn

SALMONELLA IN EGGS

Thanks for your letter of 19 December in response to the paper on Salmonella in Eggs, which John MacGregor sent to the Prime Minister on 16 December. Sorry about the delay in replying. I have discussed your points with officials and hope the following information is useful.

As far as salmonella in other European countries is concerned, the available information (including relevant published material), does strongly suggest that Salmonella enteritidis is giving rise to similar problems in several other European countries. John MacGregor discussed the matter with Ministers from 2 or 3 countries (Spain, Denmark, Netherlands) when he was in Brussels before Christmas and they expressed their concern to him. However, it is not easy to ascertain the full extent of the problem elsewhere. Despite repeated enquiries we do not have enough detailed information to enable us to state categorically what is happening in other countries. If we were to point a finger at specific countries, they would obviously attempt to deny it. More accurate information should be forthcoming from the Scientific Veterinary Committee being set up in Brussels to study the problem.

Dealing with feed contamination is one of MAFF's current priorities. Processing, if carried out correctly, will destroy salmonella, but there is still the need to avoid re-contamination at a later stage; in the plant, in transport or at the compounder's premises. Although it is possible to sterilise feedingstuffs prior to sale, the only methods guaranteed to destroy all salmonella organisms also severely reduce the quality of the resulting feed. The single exception to this is irradiation which is being examined, although there are obvious practical and other objections. Sterilisation would be prohibitively expensive and would do nothing to tackle the separate but equally serious problems of vertical transmission and wider environmental contamination.

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- will be given to you

At present efforts are being concentrated on the animal protein element of feed compounds. The frequency of routine inspection visits to protein processing plants has been doubled so that extensive samples are taken on each of 20 days' production per annum in each plant, followed by additional sampling if the results are unsatisfactory. We shall be introducing secondary legislation to require processors themselves to take samples from every day's production and to require immediate notification of positive results to us. (At present the majority of operators are already in fact taking samples from each day's production). We shall also be taking powers to place restrictions on the sale of animal protein from plants where unsatisfactory standards are found.

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May I also here pick up the point in Andrew Turnbull's letter of 19 December to Shirley Stagg about not converting carcasses from the slaughtering scheme into protein feed. We do not envisage birds culled under this scheme going for rendering (protein processing). However, as I indicated above, the rendering systems in use in Great Britain will destroy any salmonella present in the raw material and the renderers play an essential role in the economics of meat production generally, in that they dispose of very large quantities of slaughterhouse waste and produce a valuable by-product. We would not wish to do or say anything which implies that protein processing is wrong in principle.

I hope this information is helpful. If you want any further information and can't get hold of officials do let me know.

yours.

Richard

RICHARD GUETERBOCK

cc. Andrew Turnbull ✓

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10 DOWNING STREET

LONDON SW1A 2AA

From the Principal Private Secretary

23 December 1988

The Prime Minister had intended to raise the question of salmonella and eggs at Cabinet but this was overtaken by other events. She thinks it important that the Government presents a united front in its efforts to tackle the problem. She understands that joint evidence is being prepared for the Select Committee on Agriculture. She has suggested that consideration be given to developing this material into a Government statement which could be issued more widely.

The ground such a statement might cover could be:

- (i) Recent historical trends for salmonella and salmonella enteritidis phage type 4. The Prime Minister attaches importance to a common presentation of the statistics.
- (ii) A comparison with experience in other countries and the measures they are taking.
- (iii) What is being done throughout the food chain to tackle the problem. The Prime Minister hopes that the measures suggested in the Minister of Agriculture's paper of 16 December can be quickly agreed and implemented. She has noted the point made by the Chief Secretary to the Treasury that it is important for the industry to take some action itself to rebuild consumer confidence in its product.

There are two other issues where the Prime Minister would welcome further information:

- (i) Is it proposed to make the voluntary codes of practice statutory, and if so when?
- (ii) How are carcasses from the culling scheme to be disposed of? The Prime Minister is very much opposed to re-cycling these back as feedstuff.

CONFIDENTIAL

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2

I am copying this letter to Andy McKeon (Department of Health) and Carys Evans (Chief Secretary's Office, H.M. Treasury).

(ANDREW TURNBULL)

Mrs. Shirley Stagg,
Ministry of Agriculture, Fisheries and Food.

CONFIDENTIAL

E. R.

PRIME MINISTER

There was no chance to discuss this at Cabinet. Agree I write to MAFF/DoH

- (i) Suggesting a joint document for use at Select Committee and more widely, covering ground set out in Ms. Sinclair's minute.
- (ii) Urging that the different bases for the figures are clarified.
- (iii) Pressing for early action on measures by the industry to restore confidence (see CST's letter).
- (iv) Asking whether voluntary codes should be statutory.
- (v) Chasing up question of use of carcasses of culled flocks.

AT

Yes please
no

A. TURNBULL
22 December 1988

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CONFIDENTIAL

PRIME MINISTER

SALMONELLA IN EGGS

Prime Minister
You could ask Mr MacGregor and
Mr Clark what steps they are
taking to ensure that Government
presents a united front on eggs/
salmonella. It is important there is
no public perception of
21 DECEMBER 1988
continuing differences. You
could put forward Policy Unit
suggestion of a joint statement

AT
21/12

1. The Government is still fighting the battle to restore consumer confidence in eggs.
2. The package of measures announced in the House on Monday was necessary to deal with immediate problems in the egg industry. But in the longer run the egg industry will only recover if people are confident about eating eggs.
3. The serious press, radio and television continue to portray the Government as divided and indecisive on this issue. The impression is given that things are much worse than the government has revealed. As long as this impression persists, many people will not eat eggs.
4. Annex A sets out the information on the incidence of salmonella enteritidis phage 4 which has caused the Chief Medical Officer concern. This type of salmonella occurs only in poultry and eggs. The number of outbreaks traced to eggs, as opposed to poultry, has grown between 1987 and 1988. The overall incidence of outbreaks of this type of salmonella has increased quite substantially - from 53 outbreaks in 1986 to 134 in 1988.
5. It is not easy to summarise these medical findings. They need to be seen in the context of figures for outbreaks of other types of salmonella. Overall, the number of cases of salmonella has more than doubled since 1981.
6. The paper which John MacGregor sent to you on 16 December shows that solutions to the problem are equally complex. There is no single, easily comprehensible, action which the Government could take to eradicate this type of salmonella from eggs and poultry.

Proposal

7. The Government should publish, as soon as is feasible, a detailed document setting out as much as the general reader can comprehend about the problem, and ways of tackling it. The paper should be produced jointly by MAFF and the Department of Health. It should appear a seamless web, and should include the following points:-

- (a) The problem is not unique to the UK. Salmonella in eggs is widespread in Europe and the USA. UK action should be compared with that taken in other countries (see below).
- (b) Outbreaks of different types of salmonella infection have occurred in the past, both in poultry and elsewhere. They can be difficult to isolate and destroy, but it is not an impossible task.
- (c) The Department of Health's current evidence on the number of outbreaks of salmonella enteritidis phage ^{type} 4 traceable to eggs should be included.
- (d) Action to tackle the problem is necessary at every point in the food chain: the production and handling of feeding stuff; disease-free breeding flocks, laying flocks and broiler flocks; handling and storage of eggs by wholesalers, [retailers] and the housewife.
- (e) For reasons of speed, the Government has been working through voluntary codes of practice applying to commercial and breeding flocks. These will be made statutory as soon as possible via secondary legislation.
- (f) The other measures proposed by John MacGregor should be set out in detail (Annex B).

- (g) Emma Nicholson made a good point in the House about pasteurising liquid eggs (see attached Hansard extract at Annex C). The Department of Health are unable to say yet whether they think this type of home pasteurisation is easy and safe. The alternative is to encourage people to use commercially pasteurised egg to make mayonnaise etc. Clear advice on this would be very welcome to housewives, and could boost egg consumption.

What other countries are doing

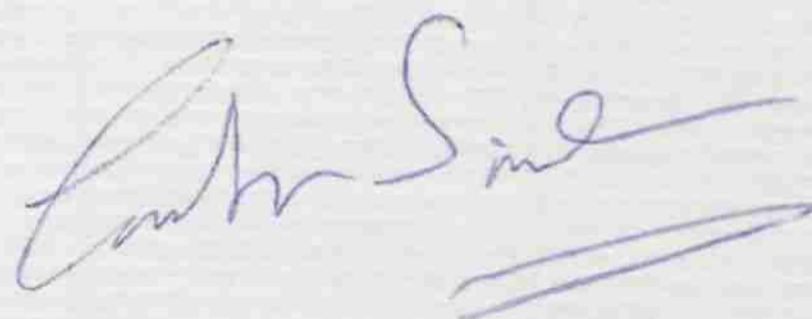
8. The USA appear to have taken the most vigorous action with:-
- (i) a voluntary testing programme for poultry flocks;
 - (ii) a research programme aimed at finding out how infection gets into the egg;
 - (iii) surveys into production practices;
 - (iv) advice to consumers on storage and handling of eggs.
9. Some press commentators here have been suggesting more effective government action in the Netherlands. MAFF have information on the position overseas. They should be asked to compare our proposals with action being taken elsewhere. If our response looks more vigorous, we should say so loudly.

Recommendation

10. You have already agreed that John MacGregor should work up his package of proposals as quickly as possible, consulting the Treasury on the public expenditure aspects.

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11. One of his proposals is for a public education campaign and leaflet on domestic kitchen hygiene to be launched in January. Left to themselves, MAFF will minimise the problem and lecture housewives about keeping eggs in the fridge. This will simply fuel the belief that the Government only cares about farmers. It will not restore confidence in eggs.
12. The education campaign should be based on a published document on the lines of paragraph 7. It should be prepared jointly by the Ministry of Agriculture and the Department of Health. They are currently preparing joint evidence to the Select Committee on Agriculture which will take evidence from Ministers on 11 January. This evidence could be the basis of a wider publication.
13. It is important that the document should make it clear that the Government will be legislating to impose elements of the voluntary action currently being enjoined upon owners of breeding and commercial flocks. John MacGregor is said to be "thinking about this". ✓
14. If you agree, your private secretary could write to the Ministry of Agriculture and the Department of Health on the lines of the above.



CAROLYN SINCLAIR

Laboratory Reports* to the Communicable Disease Surveyance Centre

Outbreaks of Salmonella enteriditis Phage 4 traced to specific foods

<u>Source</u>	No of outbreaks		
	1986	1987	1988 (Oct)
Eggs	1	0	13
Poultry	0	5	5
Other	2	3	1
Unknown	50	77	115
Total	53	82	134

These figures differ from those used in advertisement. It is essential to establish a common database and for all depts to stick to it.
 JT

Approved

* Reports of outbreaks of salmonella reach CDSC via other routes, but this is the best time series.

The other options proposed would have manpower implications but would not otherwise entail public expenditure, apart from an additional £200,000 a year in laboratory costs for consumables in connection with testing and £200,000 capital outlay for testing equipment.

25. MAFF have already reallocated some staff on to salmonella from other work, and will make every effort to move more staff in this way. However, after allowing for this the measures described above assuming slaughter with compensation is not introduced, will require an increase from the present 40 man years to a total of 110 man years devoted to Salmonella work in the State Veterinary Service. These extra 70 man years, at an assumed average cost of £20,000 per man year, would amount to an extra manpower cost of £1.4 million per year and there would be extra running costs of around £400,000. Extra support staff would also be needed to service the veterinary staff; it is not possible to quantify this requirement precisely at this stage, but the cost might be of the order of £100,000. Additional staff will also be needed to prepare and administer the new legislation and codes of practice at headquarters. An additional 8 man years are likely to be needed, at an estimated annual cost of about £120,000.

26. MAFF considers that this additional expenditure on manpower could not be absorbed within the Department's running cost limits. Additional PES money will therefore be needed.

CONCLUSION AND SUMMARY OF ACTION

27. A major effort has been made and is being made by the Ministry to take effective action at all stages of the industry. Action now proposed includes:

- A detailed Code of Practice for feed compounders in preparation.
- Implementation of more stringent monitoring and enforcement in production of animal protein feed ingredients.
- Legislation to be made requiring operators to monitor raw materials and final feeds.

- Strengthening of controls on imported feeds.
- Legislation to be made to require registration of all breeding flocks and hatcheries.
- Legislation to be made to require breeders to monitor and supply results to MAFF.
- Legislation to be made to introduce chargeable inspections by MAFF of breeding flocks and hatcheries.
- Restrictions to prevent the sale of chicks when invasive salmonellae found.
- A statutory requirement on commercial laying flock owners to carry out bacteriological monitoring.
- Reinforcement of statutory requirement to control rodents.
- Introduction of compulsory cleansing and disinfection.
- A public education campaign and leaflet on domestic kitchen hygiene to be launched in January.

28. The industry, after initial reluctance in the autumn, are now fully aware of the problems facing them and are recognising the need for action to restore confidence.

29. Within the Ministry resources have been reallocated to ensure that effective action is taken, but it is clear that additional resources will be needed if all the courses proposed are to be effectively pursued.

Ministry of Agriculture, Fisheries and Food
16 December 1988

[Mr. Dafydd Wigley]

backdate for two weeks compensation or payments available for culling to help those people? Has he taken advice from the Law Officers about the liability of the Government or individual Ministers to compensation payments through the courts for people who have undoubtedly suffered and who will receive nothing from today's announcement?

Mr. MacGregor: I make it clear, as I did on Friday, that the arrangements imply no acceptance of legal liability on the Government's part. I have naturally been concerned about the position of small producers, but one must consider the practical problems of bringing help quickly. There are 35,000 producers and 3,100 egg packers, and that is why it is practical and sensible to concentrate payments on egg packers. In the time available, I tried to think matters through as much as was humanly possible. Both measures combined are directed at the real problems, which are the surplus of eggs in the market and the risk of continuing surplus if the flock remains at its present size—which is the reason for the second measure. Both are designed to bring stability back to the market, which is the best way of helping the small producer as quickly as possible.

Mr. Tim Boswell (Daventry): Will my right hon. Friend comment on the monitoring of imported eggs, where it appears from his remarks, the risks are equivalent but the new safeguards and codes of practice cannot apply?

Mr. MacGregor: I shall have to consider that matter. I know that there are measures. I shall write to my hon. Friend about them.

Mr. George Foulkes (Carrick, Cumnock and Doon Valley): Does the Minister realise that the hon. Member for Derbyshire, South (Mrs. Currie) said, not that most eggs are infected, but that most egg production is infected? Was she right or wrong?

As the Minister managed to find £17 million to give to egg producers, why was he unable to find any money for the fishing industry, which is affected by the same Department and which will lose out? The Government side of the House is infected with farmers; there is not a fisherman among them.

Mr. MacGregor: That simply is not the case. On the hon. Gentleman's first point, from the evidence available to me, it is not the case that most egg production is infected. What is clear from all the evidence that we have been able to gather—and this is the important point from the consumer's point of view and therefore the one that I stressed—is that most eggs are not infected. That is the risk that concerns the general public, and that is why I have been saying throughout, to reassure the general public, that it is not the case. I thought that the whole House would wish me to give such an assurance in order to assist the industry and to reassure the general public about eggs. That is what the advertisement is designed to do.

The hon. Gentleman knows that we fought extremely hard, and very successfully, to get the best possible deal for the fishing industry this year. As a result of the whole package, the white fish industry's quotas are down by about 10 per cent. on the total catch that it was allowed for the same white fish this year. We do not know what market prices will be next year, but they may rise.

Mr. Speaker: I ask right hon. and hon. Members to restrict their questions to eggs, and not to deal with fish.

Miss Emma Nicholson (Torridge and Devon, West): I congratulate my right hon. Friend on his swift and excellent rescue package both for eggs and poultry producers and for the consumer alike. However, in the interests of accuracy, both in the House and in advertising, will my right hon. Friend encourage the chief medical officer to come to me for a cookery lesson—in public, not in private? Clearly, he does not know that pasteurisation of egg yolks, which occurs in three seconds at a temperature of 92 deg. C, destroys all salmonella without destroying the eggs' emulsifying properties—thus enabling one to make home-made mayonnaise, ice cream and mousses, and to use bought marzipan, without risk to babies, old people, and the healthy and unhealthy alike. Is that not a point worth knowing?

Mr. MacGregor: I am grateful to my hon. Friend. Her culinary knowledge is superb, and her point about pasteurised liquid eggs is absolutely right. Her remarks illustrate the difficulty of getting over the whole message, when only small parts of it are extracted for headline treatment. It has been difficult to get over the message about pasteurised eggs. I am grateful for my hon. Friend's comments, because she has made the position absolutely clear in respect of mayonnaise, marzipan and everything else bought in the shops.

Ms. Joan Walley (Stoke-on-Trent, North): Will the right hon. Gentleman say why his statement dealt only with assisting the egg industry and made no reference to safeguarding public health? Will he say how many prosecutions his Department is bringing where salmon has been found to exist? Will he reinstate the Bristol research that he stopped? What advice is he giving local authorities as to the disposal of carcasses? How much longer will we have to wait before there is an integrated food health and agriculture policy?

Mr. MacGregor: I made it absolutely clear that I take very seriously my responsibilities in respect of food, and more of my Department's resources are being devoted to that end. Clearly the hon. Lady was not listening, because in my opening statement I commented on three health measures. We have been engaged in an intensive series of discussions leading to a health action programme, ever since we had information about the new and growing strain of salmonella in question. There has been important research and development undertaken at Bristol, but that related to the particular inhibition—which it is—in question has been completed, and the next key stage is commercial exploitation. It is that which is being followed up.

Mr. Michael Lord (Suffolk, Central): I congratulate my right hon. Friend on the measures he has announced. The egg producers of Suffolk will be grateful as a result. Clearly there is a great problem to be tackled, but does my right hon. Friend agree that there has been massive over-reaction? Does he agree also that it has created confusion in the minds of many people? I urge him to try to establish, as a matter of priority, the precise scientific and medical facts so that complete confidence may be restored to the general public and the future of a very important industry guaranteed?

CONFIDENTIAL

CCM

Prime Minister



Treasury Chambers, Parliament Street, SW1P 3AG

The Rt Hon John MacGregor OBE MP
Minister of Agriculture, Fisheries and Food
Whitehall Place
London
SW1A 2HH

20th December 1988

Dear John,

SALMONELLA IN EGGS

Thank you for sending me a copy of your *flat* minute to the Prime Minister of 16 December and the attached paper on veterinary and public health measures. I have now seen the Prime Minister's comments in Mr Turnbull's letter of 19 December.

I am sure that you are right to reject the option of a slaughter and compensation scheme under the Animal Health Act 1981. For the reasons set out in the paper such a scheme would involve a substantial continuing public expenditure commitment but seems unlikely to achieve the objective of eliminating salmonella infection in egg production. Moreover it would set an unwelcome precedent in dealing with animal health problems in other areas and could be wide open to abuse by unscrupulous producers.

I agree that the other measures summarised in paragraph 27 of your paper have the makings of a package which could form the basis of a further announcement in the new year in response to the genuine public concern about the problem of salmonella infection. I am sure that you would agree that in any such announcement the accent should be on the need for the industry to take some action itself to rebuild consumer confidence in its product, following the temporary Government funded support schemes which you announced on Monday.

AGRICULTURE: Salmonella +
Eggs Dec 88

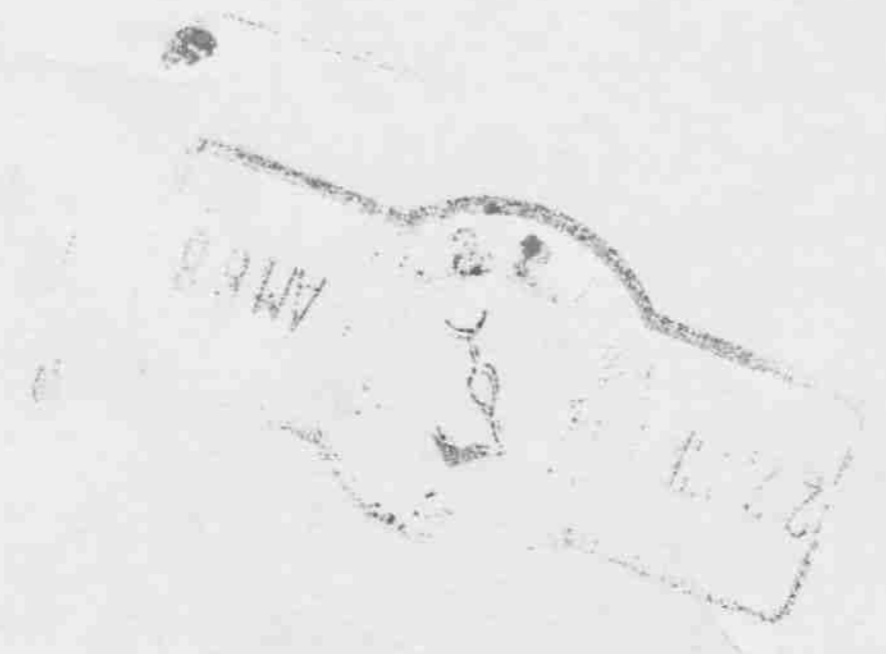
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I have asked my officials to discuss the detailed cost implications of these measures with your Department in the context of their consideration of your Spring Supplementary Estimates for 1988-89 and the Main Estimates for 1989-90. I should be surprised if it were not possible to identify savings to offset some or all of these relatively modest costs by reordering priorities within the agreed running costs limit of some £260 million for 1989-90.

I am copying this letter to the Prime Minister, Kenneth Clarke, Peter Walker, Malcolm Rifkind, Tom King and Sir Robin Butler and Sir Donald Acheson.

*Yours Ever,
John*

JOHN MAJOR



Egg Industry

3.30 pm

The Minister of Agriculture, Fisheries and Food (Mr. John MacGregor): With permission, Mr. Speaker, I wish to make a statement about measures to assist the egg industry.

As I explained to the House on Friday, the Department of Health drew attention this summer to a new and growing problem from salmonella enteritidis phage type 4 linked to eggs, and since August the chief medical officer has been issuing advice to the public. As a result of the Department of Health's information Agriculture Departments acted immediately with them and the industry to tackle the problem at every point in the production chain. This led, among other initiatives, to the publication of codes of practice to apply to commercial and breeding flocks.

The uncertainty over the implications of salmonella enteritidis has recently caused a sharp decline in egg sales. The Government have decided, in these wholly exceptional circumstances, to introduce the following two short-term measures.

The first measure will provide a payment to egg packers for the destruction of surplus eggs for a period of four weeks from 21 December. The payment will be at the rate of 30p per dozen eggs on up to 1.1 million cases. This will tackle the overhang of eggs in the system.

A second measure will be introduced to help the industry to reduce the size of the egg laying flock. This will provide for a payment for a bird in the age range 18 to 30 weeks. The scheme will enable up to 4 million hens—roughly equivalent to 10 per cent. of the laying flock—to be culled under the supervision of the Agriculture Departments.

Taken together, these two short-term measures are designed to assist the egg industry to adjust to the market situation now confronting it. The estimated cost of these two schemes is at maximum £17 million in payments to the industry. There will also be payments which are estimated at £2 million to contractors and local authorities.

I have been in contact with the European Commission to inform it of the actions we are taking.

Parliamentary approval for these new measures will be sought in Supplementary Supply Estimates for the agricultural support Votes of the Agriculture Departments and authority for the payments will rest upon the Estimates and the Appropriation Act. Pending that approval, expenditure will be met by repayable advances from the contingencies fund. Similar arrangements will be made for expenditure in Northern Ireland. These costs will be found from the reserve, so that there will be no addition to the planned total of public expenditure.

The Government have been formulating detailed plans for tackling this problem since the new information became available. The two codes of practice were only the start. As I made it clear to the House on 1 December and again on Friday, we have been preparing a number of other steps. These will include more stringent bacteriological monitoring of animal protein for animal feed, the registration of breeding flocks and hatcheries for hygiene control purposes, and strengthening the controls relating to imported animal protein.

I hope that the actions I have announced today, taken with the advertising campaign setting out the advice of the

chief medical officer and presenting the facts to consumers, will help quickly to restore order to the egg market in the interests of consumers and everyone working in that important sector of the food industry.

Dr. David Clark (South Shields): Following the remarks of the hon. Member for Derbyshire, South (Mrs. Currie), it was only a matter of time before the Minister of Agriculture, Fisheries and Food had to come to the House with proposals to spend taxpayers' money in an effort to bail out the troubled egg and poultry producers. Since the hon. Lady's gaffe two weeks ago, egg sales have fallen by half and over 15 million eggs each and every day cannot be sold. The future is even bleaker.

The Minister is facing a twofold problem. First, he must find a way of keeping the egg producers in business. Secondly, and more fundamentally, he must find a way of tackling the problem of salmonella in the egg and poultry industry, because, as *The Lancet* reported only this month, there is a salmonella epidemic in this country. Therefore, we are disappointed with the Minister's statement because he has yet again displayed the complacency that has throughout characterised the Government's attitude to the problem. He has manifestly failed to deal with the main problem of the extent of salmonella in eggs and poultry, which is the key to restoring public confidence in the safety of eating eggs and thus the long-term future of the industry for which we all wish to strive.

Whatever the facts, the public believe that there was an element of truth in the former Under-Secretary of State's comments, but the key question is how large is the threat of salmonella. By his support for his former junior Minister, the Secretary of State for Health has clearly a different perspective from that of the Minister of Agriculture, Fisheries and Food. While they pursue their departmental rivalry, the British people are left unaware of and completely confused about the extent of the problem.

Will the Minister set aside the petty bickering and, with his Cabinet colleagues, set up a small group of experts to advise us on the extent of salmonella? Only then can we work out what action is needed to tackle it. Will the Minister, too, reverse the cuts in the agricultural and food research budget, which has ironically resulted in the team working on salmonella in poultry being given their redundancy notices only last month? While the Government are pursuing such stupid and vindictive actions, how can we and the poultry industry have confidence in them?

In his statement, the Minister made great play of his initiatives on the monitoring and hygiene of the breeding flock, and, of course, the voluntary code. We believe that if it is necessary for the code to be voluntary then it ought to be statutory when it concerns public health.

Furthermore, will the Minister confirm the allegation made by the hon. Member for Holland with Boston (Sir R. Body) that the Conservative Government watered down the regulations for hygiene standards in poultry feed early in the 1980s? Will the Minister explain what he envisages happening to the eggs after the four-week period? What provisions is he making for the producers who may be caught out before 21 December? Is he confident that the culling of 10 per cent. of the flock will be sufficient? Does he intend paying any compensation to the workers who have been made redundant because of that?

The Minister claims that he has worked long and hard on this measure—I am sure that he has—but he has funkled

[Dr. David Clark]

the main issue. He has failed to make any attempt to evaluate the true measure of salmonella in eggs and poultry and, until he does that, the general public will naturally remain concerned about their health, and I am afraid that public confidence will not be restored.

Mr. MacGregor: The hon. Gentleman has asked many questions. I shall endeavour to answer them all briefly, for obvious reasons.

First, on the question of the two schemes, obviously I regret having to do this. I would much have preferred not to have had to do it, but, as the hon. Gentleman has recognised, the plain fact is that we face a difficult situation in the market place. I hope that he will agree that it is right in the interests of the industry and of the consumer that it should be dealt with straight away.

I make it clear that these are my final proposals. It is not intended that there should be any further financial sums available beyond those which I have announced. The hon. Gentleman said that the future was even bleaker. I hope that he will agree that taking action, on the one hand, to put the facts before the consumer and, on the other, dealing with the industry problem is the best way of ensuring that the future is not bleak.

The hon. Gentleman is a fair person in these matters, so I am sure that he will realise the extreme difficulty of dealing with salmonella overall and eradicating it. There are many hundreds of different types of salmonella. We are faced with a new strain that has arisen not only in this country but in others. We are having to learn as much as we can about it and to find ways of dealing with it.

It is absolutely fair to say that no country has mastered the problems of salmonella in animals and poultry because it is a highly complex disease that involves a great number of factors at all stages of the chain. One such factor is the bacteria, which can come from the environment or wild birds and which is difficult to eradicate.

I assure the hon. Gentleman that there is no complacency on my part and we are looking at every possible way in which to deal with the problem. It would be misleading to say that the disease can be eradicated, but we are endeavouring to find the measures to minimise the risk at every stage of the production chain.

I hope that the hon. Gentleman will agree that one of the best contributions that can be made to consumers and industry alike, which is in their interests—at the end of his remarks the hon. Gentleman referred to the workers in the industry and I have as much concern about them as he has, which is why I have taken such steps today—is for the full facts to be put before the public. There is a very low degree of risk, particularly if members of the public—housewives in the kitchen—follow proper hygiene practices. It is extremely important that that message gets through to the public.

It is not the fact, as I have repeated on many occasions in the House—not just on Friday—that most eggs are infected with salmonella.

Mr. Ron Davies (Caerphilly): How does the Minister know?

Mr. MacGregor: From the sampling that we have done. The incidence of salmonella in the breeding flocks of laying chicks is extremely low. All our evidence suggests that the incidence of the disease in laying flocks is extremely small.

If consumers follow the advice of the chief medical officer—he is as anxious as I am to get that message across in its entirety—the risks are very, very small.

In 1987 there were 20,000 reported cases of food poisoning. There are approximately 50 reported cases of outbreaks of salmonella associated with eggs. I say outbreaks because they involved more than one person; The outbreaks involved 1,000 people. Those figures set this matter in context. There are always problems about food poisoning, and we must do everything we can in the production chain and in the home to reduce the risk.

I am anxious to put all the facts before the public. Clearly there is a limit to what one can put in an advertisement, but I am seeking ways to put all the facts before the public.

The hon. Gentleman referred to disputes between the Ministry and the Department of Health. Let me refer him to what my right hon. and learned Friend the Secretary of State for Health said on 5 December:

“There has been the closest co-operation between my Department, the Ministry of Agriculture, Fisheries and Food and the Government’s chief medical officer. We all agree on our statements and on our message to the public. Whenever there are minor public health worries, it is inevitable that people will exaggerate . . . I hope that the House will get the matter in proportion and will accept that there is a health problem, which we are tackling, and that the average member of the public is not at risk.”—[Official Report, 5 December 1988; Vol. 143, c. 23.]

We have been working together on this matter.

I apologise for the length of my reply, Mr. Speaker, but I am trying to answer all the questions. We are spending about £1 million a year on salmonella research and development. Since the new information became available to us, a working party has been considering all the research into salmonella. I hope to have its report shortly, then I can consider what further steps to take on R and D.

The hon. Gentleman spoke of a statutory code of practice as opposed to a voluntary code of practice. One can get a voluntary code of practice into operation much more quickly. We have had extensive discussions with the industry and it is clearly in its interests to have a voluntary code. However, I have not ruled out transferring the appropriate elements of the voluntary code on to a statutory footing. I have been considering that for some time.

I believe that my reply has covered most of the points raised by the hon. Gentleman. I must repeat that the best contribution that everyone can make, including the workers in the industry, is to give the public the clear message that only an extremely small proportion of eggs is affected. If they follow the chief medical officer’s advice, the risk to the public should be very small indeed.

Several Hon. Members rose—

Mr. Speaker: Order. I remind the House that this is a private Members’ day and private Members’ motions follow this this—

Mr. Tony Banks (Newham, North-West): And another statement.

Mr. Speaker: I was about to say that. The Minister has made a very detailed statement. There is also to be a related debate in the name of the hon. Member for Bromsgrove (Sir H. Miller) later this evening or possibly early tomorrow morning. I shall allow questions on this

CONFIDENTIAL



FILE

← AM

ce PV

10 DOWNING STREET

From the Principal Private Secretary

19 December 1988

Dear Shirley,

SALMONELLA IN EGGS

The Prime Minister has seen your Minister's minute of 16 December to which was attached a paper on the veterinary and public health measures to tackle the problem of salmonella in eggs.

The Prime Minister has noted that slaughter and compensation schemes look unlikely to be cost-effective as a way of eliminating salmonella from poultry houses and poultry flocks and that the emphasis should be on other measures. She wishes the Ministry of Agriculture to press ahead urgently with the consideration of a package of measures, agreeing the public expenditure implications with the Treasury as necessary.

I am copying this letter to Andy McKeon (Department of Health), Carys Evans (Treasury), Stephen Williams (Welsh Office), David Crawley (Scottish Office), Mike Maxwell (Northern Ireland Office), Trevor Woolley (Cabinet Office) and to Sir Donald Acheson.

Yours sincerely
Andrew Turnbull

ANDREW TURNBULL

Mrs Shirley Stagg
Ministry of Agriculture, Fisheries
and Food

CONFIDENTIAL

SW



Ministry of Agriculture, Fisheries and Food
Whitehall Place London SW1A 2HH

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acpu

From the Minister's Private Office

Andrew Turnbull Esq
Principal Private Secretary
No 10 Downing Street
LONDON
SW1

19 December 1988

Dear Mr Turnbull

MEASURES TO ASSIST THE EGG INDUSTRY

The draft scheme on the Slaughter of Hens and the Application Form for that scheme and the draft scheme on the Egg Industry attached to the Minister's minute of 18 December have been revised.

Please find enclosed copies of the revised schemes.

I am copying this to Flora Goldhill (Department of Health), Roger Bright (Department of Environment), Stephen Williams (Welsh Office), Mike Maxwell (Northern Ireland Office), Carys Evans (Treasury), Michael Saunders (Law Officer's Department) and Trevor Woolley (Cabinet Office).

Yours sincerely

Ian Fugler

Ian Fugler
Assistant Private Secretary

REV 1

SLAUGHTER OF HENS (ENGLAND AND WALES) SCHEME

1. MAFF will pay aid in respect of the slaughter of hens between 18 and 30 weeks of age, other than broiler breeder hens.
2. Any person may apply for aid. Each application must be in respect of the proposed slaughter of not less than 500 hens situated at a single establishment. A person having hens at more than one establishment may submit separate applications for each.
3. Applications must be made in writing and on the form in the Annex and must be received by the MAFF Divisional Office for the area in which the establishment is situated, not later than [final date for applications]. If delivery is made by hand a receipt must be obtained. The applicant must declare:
 - (i) that he is the owner of the hens referred to in the application form;
 - (ii) that the hens will be aged between 18 and 30 weeks on [final date for applications] and are not broiler breeder hens;
 - (iii) that if his application is accepted he will make the full number of hens stated in the application (or such lower number as the Minister may determine) available for slaughter under Ministry supervision at the establishment in the application on a date to be determined by the Minister.
4. He must also undertake for the purpose of this scheme to allow Minister's officers and such persons as they consider necessary to enter the establishment and to render them all reasonable assistance.
5. The Ministry will determine whether applications are correctly completed. To enable the Ministry to confirm the validity of the

application, a Ministry officer may enter the premises to inspect the birds.

6. The Ministry will then total the number of hens covered by valid applications received. If this number is less than 3,456,000 the Ministry will return a copy of the application form to each of the applicants indicating that it has been accepted in full. If the number of hens covered by the valid applications is greater than 3,456,000, the Ministry will reduce the number in each valid application by the following factor:

$$\frac{3,456,000}{\text{total number covered by applications}}$$

A copy of the application form will be sent to the applicant showing the reduced number of hens accepted.

7. The Ministry will give written notice to each accepted applicant of the date or dates on which slaughter will be carried out, and will arrange for the slaughter to be carried out on that date or those dates. The applicant will be responsible for providing sufficient staff to handle the hens and deliver them to the slaughter point. Other necessary staff and equipment will be provided free of charge by the Ministry. The Ministry will arrange for disposal of the carcasses free of charge.

8. A Ministry officer will enter the premises to inspect the hens immediately before slaughter. If the Ministry officer is not satisfied that the hens are as described in the copy of the application form returned to the applicant, he will inform the applicant that slaughter will not proceed.

9. Immediately after slaughter, the Ministry officer will sign Part III of the application form if he is satisfied that the hens were as described in Part II. If he is not satisfied, he will

complete and sign Part IV. A copy of the completed form will be handed to the applicant.

10. In respect of each application for which Part III of the form has been signed, and provided that the Ministry is satisfied that the conditions of the Scheme have been met, he will authorise payment to the applicant of £1.50 per hen slaughtered, plus 5 pence per hen for each complete period of seven days which has elapsed from [day after final date for applications] to the date of slaughter (both dates inclusive).

11. Where Part IV of the form has been completed, the Ministry will, provided it is satisfied that the conditions of the Scheme have otherwise been met, authorise payment on hens covered by IV (2) (a) and (b) or, in respect of hens covered by IV (2) (c) decide what payment if any to authorise.

MINISTRY OF AGRICULTURE FISHERIES & FOOD
WELSH OFFICE

December 1988

Rev 1

SLAUGHTER OF HENS (ENGLAND AND WALES) SCHEME

APPLICATION FORM

Part I: Application for aid

[To be completed by the applicant]

- 1(a) Name of applicant(s):
- (b) Address of applicant(s):
- (c) Address of establishment at which the hens are (or will be) situated, if different from above:

Number of hens to be slaughtered:

2. I/We have read the Slaughter of Hens (England and Wales) Scheme and apply for aid in respect of the slaughter of the above hens, or such lower number as the Minister may determine.

3. I/We declare

- (a) that I am/we are the owner(s)
- or that I am the director of which is the owner

of the hens referred to above:

- (b) that the hens will be aged between 18 and 30 weeks on [final date for applications] and are not broiler breeder hens;

- (c) that if my/our application is accepted, I/we shall make the full number of hens stated above (or such lower number as the Minister may determine) available for slaughter at the

above establishment under Ministry supervision on a date to be determined by the Minister.

4. I/We undertake

(a) to permit any duly authorised officer of the Ministry and such other persons as that officer considers necessary to enter the establishment specified at 1(c) above for the purposes of this Scheme;

(b) to render all reasonable assistance to that officer and such persons in carrying out functions for the purposes of the Scheme.

Signature

Status (Sole owner, partner, company director)

on behalf of

(In the case of a company director insert name of company)

Date

WARNING: Anyone who by deception dishonestly obtains or attempts to obtain aid under the Slaughter of Hens (England and Wales) Scheme may be liable to prosecution.

Parts II, III, IV and V to be completed as appropriate by Ministry Staff

Part II: Notification of acceptance for slaughter aid

The following number of hens aged between 18 and 30 weeks on [final date for applications], not being broiler breeder hens, situated at the above establishment is accepted for aid under the Scheme:

Signed by or on behalf of

Divisional Executive Officer

Date

Part III: Certification of Slaughter

I certify that the hens described in Part II were slaughtered under my supervision on[date(s)] at the above establishment.

Signed
Ministry Officer
Date

Part IV: Certification of non-slaughter or partial slaughter

Following my inspection of the hens at the above establishment presented for slaughter on[date], I certify that:-

(a) no hens were slaughtered for the following reasons:

(b) [number] hens were slaughtered, this number being less than the number indicated in Part II because of

(i) natural mortality in the flock

(ii) factors beyond the control of the applicant, namely

(iii) other factors, namely

Signed
Ministry Officer
Date

Part I: Authorisation of payment

I authorise the payment of slaughter aid under the Scheme to the amount of £ to the above applicant in respect of [number] hens.

Signed by or on behalf of

Divisional Executive Officer

Date

EGG INDUSTRY (ENGLAND AND WALES) SCHEME

1. The scheme will provide payments to egg packers for a limited period for destruction of surplus eggs.

2. The scheme will operate for a period of 4 weeks and will provide for payment at the rate of 30 p per dozen for up to an average of 237,600 cases (of 360 eggs) per week - nearly half of normal weekly supply - to be voluntarily destroyed under the supervision of the Agricultural Departments. The scheme will apply on a degressive basis, with a greater maximum quantity of eggs being specified for payment in the first week and less towards the end as follows:

Week 1	518,400 cases
Week 2	259,200 cases
Week 3	86,400 cases
Week 4	86,400 cases

If the whole quantity for Week 1, 2 or 3 is not taken up, the deficit will be added to the quantity for the following week.

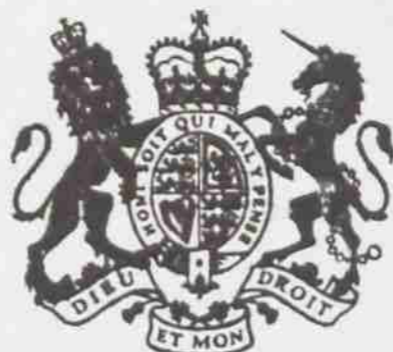
3. The quantities eligible for payment will be divided among packing centres registered under Egg Marketing Standards Regulation 95/69 proportionately to the latest record of weekly throughput provided by the packing station prior to 30 November 1988. The percentage of average throughput for which packing centres will be eligible will be announced each week. These will be subject to a minimum offer of 10 cases.

4. To present eggs for destruction and apply for payment in accordance with the provisions of this Scheme, the owner of a packing centre must contact the appropriate Regional Office of MAFF or, in Wales, the Welsh Office. The Regional Office will supply an application form in duplicate for each proposed delivery within the packing centre's maximum quantity, stating the quantity and specifying the date, time and place at which the packing centre will be required to make that delivery.

5. On arrival at the disposal point, the applicant will present to the Ministry officer a signed copy of the application form referred to in paragraph 4 requesting certification of destruction. The Ministry officer will inspect the delivery to satisfy himself that the quantity is as stated on the form. If cases examined are found to be partially filled, no payment will be made although the load may be destroyed under supervision without charge. If the quantity of properly filled cases exceeds the quantity stated on the form, no payment will be made on the excess. If the quantity falls short of the quantity stated on the form, payment will be made only on the quantity delivered.

6. After supervising destruction, the Ministry officer will certify that it has taken place by signing the application form referred to in paragraph 4 and hand one copy to the representative.

7. Payment due will be made by the Ministry after receipt of the form thus certified.



File 56w
CCBG

10 DOWNING STREET

LONDON SW1A 2AA

From the Principal Private Secretary

19 December 1988

Dear Shirley

MEASURES TO ASSIST THE EGG INDUSTRY

The Prime Minister has seen your Minister's minute of 18 December. I have also conveyed to her the views of the Chief Secretary following the meeting with your Minister. On balance, the Prime Minister felt it was better to have two schemes rather than one. A slaughtering scheme, in addition to an egg purchase scheme, would not only help to bring supply and demand into better balance but the two schemes together stood a better chance of being enough, thereby preventing the Government being forced into further measures, something she was very anxious to avoid.

The Prime Minister felt very strongly that the carcasses from the slaughtering scheme should not be converted into protein feed as this practice was likely to contribute to continuing infection of poultry flocks.

I am copying this letter to Andy McKeon (Department of Health), David Crawley (Scottish Office), Stephen Williams (Welsh Office), Mike Maxwell (Northern Ireland Office), Carys Evans (Chief Secretary's Office), Michael Saunders (Attorney General's Office) and Trevor Woolley (Cabinet Office).

Yours sincerely

Andrew Turnbull

(ANDREW TURNBULL)

Mrs Shirley Stagg,
Ministry of Agriculture, Fisheries and Food.

ST

010

cc PUC

MINISTRY OF AGRICULTURE, FISHERIES AND FOOD
WHITEHALL PLACE, LONDON SW1A 2HH



From the Minister

PRIME MINISTER

MEASURES TO ASSIST THE EGG INDUSTRY

Following last week's discussion in Cabinet, I have concluded that we should introduce two short-term schemes to help bring order back into the egg industry. I am attaching copies of the draft schemes.

The first is, as we discussed last week, a measure to pay for the removal of surplus eggs from the market. The aim will be to take off the overhang as well as a portion of the current weekly supply which is itself well ahead of demand; and that we should announce a four week period. The only feasible way of operating the scheme is to make the payments to registered egg packers, leaving the market to reflect the impact of the measure back through to producers. Many egg enterprises are, of course, integrated, but there are a large number of small producers who sell to packers and who will no doubt complain that our scheme does not directly benefit them. The proposed rate of payment is 30 pence per dozen eggs. This is based upon our best information on the average variable costs of producing eggs.

The total cost of this measure will be about £11 million in payments to the industry. Most of the eggs will have to be destroyed in local authority incinerators or dumps and the Agricultural Departments will need to meet the cost of this which is estimated (very roughly) at £1 million.

As we agreed on Friday, I have been looking at possible alternatives to the destruction of eggs including drying and export as food aid. The possibilities here are very limited, would be substantially more costly than destruction and there could be legal complications. But I will make clear that we are examining the alternatives further in consultation with ODA.

The second proposed scheme will remove about 10% of the laying flock, which the industry feels strongly is necessary. We have looked at a range of possible methods of reducing the productive capacity of the industry. The approach which seems most practicable and most likely to be effective is the slaughtering of young laying hens - that is birds between 18 and 30 weeks of age. We would propose to pay £1.50 per bird (plus 5 pence a week for any delay in slaughtering). This is based upon the average variable costs incurred in producing pullets to point-of-lay.

The birds would be slaughtered on site. Disposal would be either by burying or by conversion into protein feed under the provisions of the Protein Processing Order. In many cases conversion to protein feed would be the most convenient and cheapest method, but I fear that we should have to be prepared for this to poke up the whole question of recycling animal waste into feed which is, however, the traditional way in which the industry is organised.

The total cost of this measure is estimated at £7 million in payments to the industry. The slaughtering would be contracted out and done under veterinary supervision. The payments to contractors are estimated (again very roughly) at £1 million.

These two proposed schemes taken together would be designed to help the industry adjust to the market situation following the recent happenings. We should be providing help to reduce the immediate egg surplus and the capacity of the laying flock. The latter would have an impact over the next year or so (by taking out about 45% of the age group). It is impossible, of course, to judge the longer term effects of recent events, but I would not expect the egg market ever to recover fully and 90% of the previous level seems a reasonable judgment of the best that can be hoped for. The slaughter scheme reflects this.

Over and above the costs outlined above, there will be costs of administration falling on the Agricultural Departments' running costs which cannot be entirely absorbed within present provisions for 1988/89.

The Attorney General has considered the compatibility of these two schemes with community law and has advised that they may be introduced forthwith consistently with our Treaty obligations.

I am also attaching to this letter a draft of the Statement which I would wish to make tomorrow afternoon in the House. In this Statement, I have put these measures in the context of the action taken and in hand to tackle the disease problem. You will see that I am preparing to announce some of the measures set out in the paper I sent to you on Friday.

I should be grateful to have John Major's agreement to the statement and the arrangements for financing these measures and meeting the cost out of the Reserve.

I am copying this to Kenneth Clarke, Malcolm Rifkind, Peter Walker, Tom King, John Major, Patrick Mayhew and Robin Butler.



JM

18 December 1988

We must
now

Andriessen
has now
cleared
these.

EGG INDUSTRY (ENGLAND AND WALES) SCHEME

1. The scheme will provide payments to egg packers for a limited period for destruction of surplus eggs.

2. The scheme will operate for a period of 4 weeks and will provide for payment at the rate of 30 p per dozen for up to an average of 237,600 cases (of 360 eggs) per week - nearly half of normal weekly supply - to be voluntarily destroyed under the supervision of the Agricultural Departments. The scheme will apply on a degressive basis, with a greater maximum quantity of eggs being specified for payment in the first week and less towards the end as follows:

Week 1	518,400 cases
Week 2	259,200 cases
Week 3	86,400 cases
Week 4	86,400 cases

*12. to clear backlog
and then running
down surplus*

If the whole quantity for Week 1, 2 or 3 is not taken up, the deficit will be added to the quantity for the following week.

3. The quantities eligible for payment will be divided among packing centres registered under Egg Marketing Standards Regulation 95/69 proportionately to their average throughput over the 12 months ending 30 November 1988. The percentage of average throughput for which packing centres will be eligible will be announced each week. These will be subject to a minimum offer of 20 cases.

4. To present eggs for destruction and apply for payment in accordance with the provisions of this Scheme, the owner of a packing centre must contact the appropriate Regional Office of MAFF. The Regional Office will supply an application form in duplicate for each proposed delivery within the packing centre's maximum quantity, stating the quantity and specifying the date, time and place at which the packing centre will be required to make that delivery.

5. On arrival at the disposal point, the applicant will present to

the Ministry officer a signed copy of the application form referred to in paragraph 4 requesting certification of destruction. The Ministry officer will inspect the delivery to satisfy himself that the quantity is as stated on the form. If cases examined are found to be partially filled, no payment will be made although the load may be destroyed under supervision without charge. If the quantity of properly filled cases exceeds the quantity stated on the form, no payment will be made on the excess. If the quantity falls short of the quantity stated on the form, payment will be made only on the quantity delivered.

6. Special arrangements may be made for handling large consignments in palletised containers.

7. After supervising destruction, the Ministry officer will certify that it has taken place by signing the application form referred to in paragraph 4 and hand one copy to the representative.

8. Payment due will be made by the Ministry after receipt of the form thus certified.

Ministry of Agriculture
Fisheries and Food

Welsh Office

December 1988

INDUSTRY (ENGLAND AND WALES) SCHEME

APPLICATION FORM

Part I: Notification to Packing Centre

(To be completed by Regional Office, MAFF)

1. Scheme week

2. (a) Name and address of packing centre

(b) Telephone number

(c) Packing centre number

(d) Person or company to whom the payment under Part IV will be made

3. Packing centre's maximum quantity eligible for aid in respect of the week specified at 1 cases of eggs (each containing 360 eggs).

4. I understand that you wish to present for destruction cases of eggs from the packing centre specified at 2 above and to apply for aid under this Scheme (in respect of the week specified at 1 above). For this purpose, you should arrange for that quantity of cases (each containing 360 eggs) to be delivered to the following site

at

(time) on

(date)

It is your responsibility to supply the labour needed to unload the cases from the vehicle.

Signed

Date

On behalf of the Ministry of
Agriculture, Fisheries and Food

Part II: Request for Certification

(To be completed by applicant)

1. I have read the Egg Industry (England and Wales) Scheme and apply under the Scheme for certification of the destruction of cases of eggs specified at Part I.4 above;

or [If delivery is less than as shown at Part I.4]

..... (state quantity) cases of the eggs specified at Part I.4 above.

2. I understand and accept that if any cases contain less than 360 eggs no aid may be claimed.

Signed

Owner of the packing centre specified at Part I.2 above

(State whether sole owner or partner)

or

on behalf of the owner of the packing centre specified at Part I.2 above

(State whether company director, manager etc)

Date

Part III: Certification

(To be completed by officer supervising destruction of eggs)

I being an officer of the Ministry of Agriculture, Fisheries and Food hereby certify that I supervised the destruction of cases of eggs (each case containing 360 eggs) at (site) at (time) on (date) delivered to the site for, and on behalf of, the owner of the packing centre specified in Part I.4 above.

Signed

Date

On behalf of the Ministry of Agriculture, Fisheries and Food

Part IV: Application for Payment

(To be completed by applicant after Part III has been completed)

I have read the Egg Industry (England and Wales) Scheme and apply for payment of aid at the rate of £9 per case for each of the cases of eggs certified as delivered and destroyed in Part III above.

2 I declare that the total quantity of cases of eggs referred to in paragraph 1 and of any cases previously certified as delivered and destroyed for the packing centre specified at Part I.2 above in respect of the week specified at Part I.1, does not exceed the maximum quantity specified in Part I.3.

Signed

Owner of the packing centre specified at Part I.2 above
(State whether sole owner or partner)

or

on behalf of the owner of the packing centre specified at Part I.2 above

(State whether company director, manager etc)

Date

WARNING: Anyone who by deception dishonestly obtains or attempts to obtain payment under the Egg Industry (England and Wales) Scheme may be liable to prosecution.



SLAUGHTER OF HENS (ENGLAND AND WALES) SCHEME

1. MAFF will pay aid in respect of the slaughter of hens between 18 and 30 weeks of age, other than broiler breeder hens.
2. Any person may apply for aid. Each application must be in respect of the proposed slaughter of not less than 500 hens situated at a single establishment. A person having hens at more than one establishment may submit separate applications for each.
3. Applications must be made in writing and on the form in the Annex and must be received by the MAFF Divisional Office for the area in which the establishment is situated, not later than [final date for applications]. If delivery is made by hand a receipt must be obtained. The applicant must declare:
 - (i) that he is the owner of the hens referred to in the application form or that he will acquire ownership of them by [final date for applications];
 - (ii) that the hens will be aged between 18 and 30 weeks on [final date for applications] and are not broiler breeder hens;
 - (iii) that if his application is accepted he will make the full number of hens stated in the application (or such lower number as the Minister may determine) available for slaughter under Ministry supervision at the establishment in the application on a date to be determined by the Minister.
4. He must also undertake for the purpose of this scheme to allow Minister's officers and such persons as they consider necessary to enter the establishment and to render them all reasonable assistance.



5. The Ministry will determine whether applications are correctly completed. To enable the Ministry to confirm the validity of the application, a Ministry officer may enter the premises to inspect the birds.

6. The Ministry will then total the number of hens covered by valid applications received. If this number is less than 3,456,000 the Ministry will return a copy of the application form to each of the applicants indicating that it has been accepted in full. If the number of hens covered by the valid applications is greater than 3,456,000, the Ministry will reduce the number in each valid application by the following factor:

$$\frac{3,456,000}{\text{total number covered by applications}}$$

A copy of the application form will be sent to the applicant showing the reduced number of hens accepted.

7. The Ministry will give written notice to each accepted applicant of the date or dates on which slaughter will be carried out, and will arrange for the slaughter to be carried out on that date or those dates. The applicant will be responsible for providing sufficient staff to handle the hens and deliver them to the slaughter point. Other necessary staff and equipment will be provided free of charge by the Ministry. The Ministry will arrange for disposal of the carcasses free of charge.

8. A Ministry officer will enter the premises to inspect the hens immediately before slaughter. If the Ministry officer is not satisfied that the hens are as described in the copy of the application form returned to the applicant, he will inform the applicant that slaughter will not proceed.

9. Immediately after slaughter, the Ministry officer will sign Part III of the application form if he is satisfied that the hens were as described in Part II. If he is not satisfied, he will complete and sign Part IV. A copy of the completed form will be handed to the applicant.



10. In respect of each application for which Part III of the form has been signed, and provided that the Ministry is satisfied that the conditions of the Scheme have been met, he will authorise payment to the applicant of £1.50 per hen slaughtered, plus 5 pence per hen for each complete period of seven days which has elapsed from [day after final date for applications] to the date of slaughter (both dates inclusive).

11. Where Part IV of the form has been completed, the Ministry will, provided it is satisfied that the conditions of the Scheme have otherwise been met, authorise payment on hens covered by IV (2) (a) and (b) or, in respect of hens covered by IV (2) (c) decide what payment if any to authorise.

MINISTRY OF AGRICULTURE FISHERIES & FOOD
WELSH OFFICE

December 1988

SLAUGHTER OF HENS (ENGLAND AND WALES) SCHEME

APPLICATION FORM

Part I: Application for aid

[To be completed by the applicant]

1(a) Name of applicant(s):

(b) Address of applicant(s):

(c) Address of establishment at which the hens are (or will be) situated, if different from above:

Number of hens to be slaughtered:

2. I/We have read the Slaughter of Hens (England and Wales) Scheme and apply for aid in respect of the slaughter of the above hens, or such lower number as the Minister may determine.

3. I/We declare

(a) (i) that I am/we are the owner(s)

or (ii) that I am the director of which is the owner

of the hens referred to above, or will be the owner of them on [final date for applications];

(b) that the hens will be aged between 18 and 30 weeks on [final date for applications] and are not broiler breeder hens;

(c) that if my/our application is accepted, I/we shall make the full number of hens stated above (or such lower number as the Minister may determine) available for slaughter at the

above establishment under Ministry supervision on a date to be determined by the Minister.

4. I/We undertake

(a) to permit any duly authorised officer of the Ministry and such other persons as that officer considers necessary to enter the establishment specified at 1(c) above for the purposes of this Scheme;

(b) to render all reasonable assistance to that officer and such persons in carrying out functions for the purposes of the Scheme.

Signature

Status (Sole owner, partner, company director)

on behalf of

(In the case of a company director insert name of company)

Date

WARNING: Anyone who by deception dishonestly obtains or attempts to obtain aid under the Slaughter of Hens (England and Wales) Scheme may be liable to prosecution.

Parts II, III, IV and V to be completed as appropriate by Ministry Staff

Part II: Notification of acceptance for slaughter aid

The following number of hens aged between 18 and 30 weeks on [final date for applications], not being broiler breeder hens, situated at the above establishment is accepted for aid under the Scheme:

Signed by or on behalf of

Divisional Executive Officer

Date

Part III: Certification of Slaughter

I certify that the hens described in Part II were slaughtered under my supervision on[date(s)] at the above establishment.

Signed
Ministry Officer
Date

Part IV: Certification of non-slaughter or partial slaughter

Following my inspection of the hens at the above establishment presented for slaughter on[date], I certify that:-

- (a) no hens were slaughtered for the following reasons:

- (b) [number] hens were slaughtered, this number being less than the number indicated in Part II because of
 - (i) natural mortality in the flock
 - (ii) factors beyond the control of the applicant, namely

 - (iii) other factors, namely

Signed
Ministry Officer
Date

Part V: Authorisation of payment

I authorise the payment of slaughter aid under the Scheme to the amount of £ to the above applicant in respect of [number] hens.

Signed by or on behalf of

Divisional Executive Officer

Date

DEPARTMENT STATEMENT

1 With permission, Mr Speaker, I wish to make a statement about measures to assist the egg industry.

2 As I explained to the House on Friday, the Department of Health drew attention this summer to a new and growing problem from Salmonella enteritidis phage type 4 linked to eggs, and since August the Chief Medical Officer has been issuing advice to the public. As a result of the Department of Health's information my Department acted immediately with them and the industry to tackle the problem at every point in the production chain. This led, amongst other initiatives, to the publication of Codes of Practice to apply to commercial and breeding flocks.

3 The uncertainty over the implications of Salmonella enteritidis has recently caused a sharp decline in egg sales. The Government has decided, in these wholly exceptional circumstances, to introduce the following two short-term measures.

4 The first measure will provide a payment to egg packers for the destruction of surplus eggs. The payment will be at the rate of 30 pence per dozen eggs on up to 1.1 million cases over a four week period. This represents nearly half of the normal supply.

5 A second measure will be introduced to help the industry to reduce the size of the egg laying flock. This will provide for a payment of a bird in the age range 18 to 30 weeks. The scheme will enable up to four million hens - roughly equivalent to 10 per cent of the laying flock - to be slaughtered under the supervision of the Agricultural Departments.

6 Taken together, these two short-term measures are designed to assist the egg industry to adjust to the market situation now confronting it. The estimated cost of these two schemes is [£15 million] in payments to the industry. There will also be additional administration costs in the Agricultural Departments.

7 I have been in contact with the European Commission to inform them of the actions we are taking.

8 Parliamentary approval for these new measures will be sought in Supplementary Supply Estimates for the Agricultural Support Votes [(Class IV, Votes 3 and 5, Class XVI, Vote 1, Class XVII, Vote 1)] and authority for the payments will rest upon the Estimates and the Appropriation Act. Pending that approval, expenditure will be met by repayable advances from the Contingencies Fund. Similar arrangements will be made for expenditure in Northern Ireland. These costs will be found from the Reserve, so that there will be no addition to the planned total of positive expenditure.

8 The Government has been formulating detailed plans for tackling this problem since the new information became available in the summer. The two Codes of Practice were only the start. As I indicated to the House on Friday, we have been preparing a number of other steps. These will include more stringent bacteriological monitoring of animal protein for animal feed; the registration of breeding flocks and hatcheries for hygiene control purposes; and strengthening the licensing provision relating to imported animal protein.

9 I hope that the actions I have announced today, taken with the advertising campaign setting out the advice of the Chief Medical Officer and presenting the facts to consumers, will help quickly to restore order to the egg market in the interests of consumers and everyone working in that important sector of the food industry.

said no for all time. I believe that if a way is not found—there may be ways other than those that I have proposed—in every Session we shall spend a great deal of private Members' time debating abortion and Bills seeking to amend the legislation.

It being half-past Two o'clock, the debate stood adjourned.

BUSINESS OF THE HOUSE

Ordered,

That, at the sitting on Tuesday 20th December—

(1) Notwithstanding the provisions of paragraph (1)(b) of Standing Order No. 14 (Exempted business), Mr. Speaker shall put any Questions necessary to dispose of proceedings on the Motions in the name of Mr. Secretary Moore relating to Social Security not later than Seven o'clock;

(2) If proceedings on the Motion in the name of Mr. John Wakeham relating to Scottish Affairs have not been previously disposed of, Mr. Speaker shall at Ten o'clock put any Questions necessary to dispose of them and of any Amendments to that Motion which may have been selected by him and which may then be moved; and proceedings in pursuance of this paragraph, though opposed, may be decided after the expiration of the time for opposed business.
—[Mr. Garel-Jones.]

Egg Industry

2.30 pm

The Minister of Agriculture, Fisheries and Food (Mr. John MacGregor): I wish to make a statement about the egg situation.

When earlier today my hon. Friend the Minister of State, Department of Health indicated that details of any scheme to help the egg industry would not be given until I made a statement to the House on Monday, he was correct. I felt that it was right, in view of the widespread speculation about a scheme, that it was in the interests of the hard-pressed industry itself to signal the Government's intention to introduce such a scheme now. I apologise to the House for any misunderstanding that may have arisen and now wish to make the position clear.

The Department of Health drew the Government's attention this summer to a new and growing problem from salmonella enteritidis phage type 4 linked to eggs, and in August the chief medical officer issued advice to the public on the risks of infection from consumption of raw eggs, or home-made dishes containing raw eggs, and later advised vulnerable people to cook eggs until they were solid. As a result of the Department of Health's information my Ministry acted immediately with the industry to tackle the problem at every point in the production chain. This has led, among other initiatives, to the publication of codes of practice to apply to commercial and breeding flocks.

However, during the past two weeks a great deal of uncertainty has arisen over the implications of the problem for consumers, and that has caused a sharp decline in egg sales. The Government have, therefore, taken steps, through a series of newspaper advertisements starting today, to reiterate the advice of the chief medical officer and to ensure that the facts are clear to everyone.

In view of the adverse impact that this uncertainty has had on the market, the Government have also decided, as a wholly exceptional measure, to introduce short-term measures which will enable eggs to be moved so as to help support the market at a critical period. We are entering into immediate discussions with the industry with a view to implementation within a few days. I am also in touch with the European Commission in respect of any Community aspects of those arrangements.

Early this morning I requested permission to make a statement about the scheme on Monday. Obviously consultations must take place with the industry, but I should like to make it quite clear that there will be no announcement of the Government's decisions on the details of the scheme before that statement, to which I hope you will agree, Mr. Speaker, on Monday.

Dr. David Clark (South Shields): I am glad that the Minister has finally succumbed to our pressure to tell the House about his proposals to help the beleaguered egg and poultry industry. We are pleased, at long last, that the Government have admitted the seriousness of the matter, which has been brought to this level largely by the indiscreet and irresponsible statements of the then Under-Secretary of State for Health. Her statements have devastated the industry. The House knows, the industry knows, and the public know, and no matter how great the compensation that the Minister can offer the poultry industry, we must admit that those indiscretions have

[Dr. David Clark]

ruined the lives—and hon. Gentlemen know that I am right—and livelihoods of many hundreds of egg and poultry producers. It is ironic that we—the general public and the taxpayers—must foot the bill. We are paying just as dearly as the poultry producers for the Under-Secretary's gaffe.

I agree with the Minister that the first objective must now be to try to restore public confidence in the industry. I hope that the first step was taken just half an hour ago when the Under-Secretary resigned her position. The problem could have been eased two weeks ago if the Prime Minister had done her duty and sacked the hon. Lady.

The Government have no alternative but to compensate those egg producers whose businesses have suffered as a result of ministerial incompetence. Furthermore, how much compensation does the Minister intend to make available to those workers employed in the industry who will be made redundant as a result of the recent fiasco?

Today, the Minister has referred only to removing excess eggs from the market. We are talking about roughly 15 million eggs a day. The present situation cannot continue for long, and the House knows that removing excess eggs is not the long-term solution to the problem. Given the position into which the Government have got us, the only answer is to try to reduce the supply of eggs. Tragically, that means culling a fair proportion of the British poultry flock.

What are the Minister's plans for paying compensation to those breeders who will be forced to gas their chickens, many of them healthy, to reduce the stock? Has the Minister any idea how much that will cost? Will it cost £10 million, or £40 million, as suggested by the National Farmers Union?

I appreciate that the Minister has had to come to the House in some haste. Will he assure us, however, that when he finalises the details of the scheme—I urge him to do so as quickly as possible as he and I know that poultry producers are going bankrupt right now—he will come to the House to allow us to debate them in full at the earliest opportunity?

Mr. MacGregor: My concern throughout has, of course, been for the consumers and the industry. That is why all the steps that I have taken have been directed to that end. That is why I made a number of comments about the safety of eggs and why I have always clearly stated the chief medical officer's advice. That is why, earlier this week, we decided to go ahead with the advertising campaign that will be conducted this weekend. That is also why I am now considering the scheme.

This scheme is not the first step. We have taken a number of steps ever since the summer to deal with the new and growing problem identified as one particular type of salmonella. We have acted consistently throughout and since the summer.

We now face an abnormal market—

Mr. Dennis Skinner (Bolsover): Markets cannot be abnormal.

Mr. MacGregor: As usual, the hon. Gentleman understands nothing about markets.

In normal circumstances the scheme would have taken many weeks, if not months, to formulate given the abnormal state of the egg market. There is no question,

but that, at present, the egg market is most unusual. Because of that, it is taking me a little time to produce the scheme. It is wrong to call it a scheme of compensation; it is a measure to deal with the market situation.

The hon. Member for South Shields (Dr. Clark) will understand that there are many practical difficulties about such a scheme. I am sure that he will understand why I do not wish to comment on the details of it until I make my statement on Monday. Whether we have a debate is obviously a matter for discussion through the usual channels.

I assure the hon. Gentleman that, if you, Mr. Speaker, agree, I shall make a statement on Monday.

Mr. Nicholas Winterton (Macclesfield): I congratulate my right hon. Friend on his extremely constructive, timely and positive statement.

I believe that I am right in saying that this House is an understanding place and that it is understanding of Members who, from time to time, make mistakes. The tragedy of this case is that the Under-Secretary of State did not apologise for her error. If she had, the House would have forgiven her. Are not the Government liable, because this mistake was made by one of Her Majesty's Ministers? Therefore, my right hon. Friend's proposal is indeed compensation for the many egg and poultry producers who have sustained a massive loss as a result of what has happened.

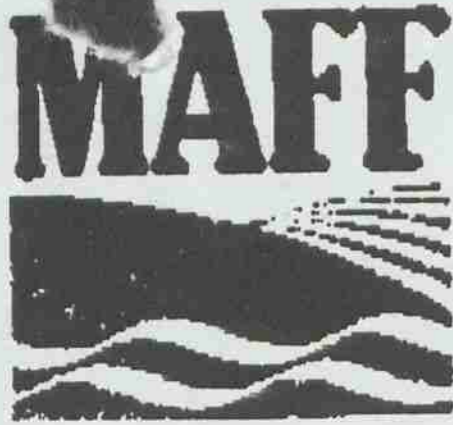
Does my right hon. Friend accept that many egg and poultry producers have sustained a major loss, not least those in my constituency, in that of my hon. Friend the Member for Congleton (Mrs. Winterton) and in those of many others? Will he therefore make a statement early next week which will give these valuable sections of the agriculture industry the compensation that they deserve?

Mr. MacGregor: I have already twice made it clear that I shall be making a statement on Monday. Today, I am not announcing any arrangements for the scheme. I have said roughly what it is intended to do and that I do not see it as compensation. I am not making a detailed announcement now, but the announcement I have made implies no acceptance of legal liability on the part of the Government.

Now it is important to consider the interests of the consumer and of the industry. That is what we should be thinking about, and that is why I am focusing entirely on ensuring that the full facts are put before the public so that they can see that the risk to normal, healthy people from consuming eggs is small. I hope that they will go on consuming eggs as avidly as they always have done and as I always do. That is the best outcome for the industry, and it is why we put the full facts before the public today.

It is also important to recognise that we face a new problem. That is why we have given in full the chief medical officer's advice, particularly to vulnerable groups. I hope that my hon. Friend will agree that it is because I recognise the industry's position that I am working flat out to produce a scheme that I intend to announce on Monday.

Mr. David Steel (Tweeddale, Ettrick and Lauderdale): The Minister appeared to suggest a moment ago that the Under-Secretary of State for Health had been a casual victim of market forces. Surely things are a little more complicated than that. I agree with the hon. Member for



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News Release

503/88

16 December 1988

BUYING-IN SCHEME FOR EGGS

The Government has decided to introduce a short-term buying-in scheme for eggs, as a wholly exceptional measure, in view of the present state of the egg market.

Consultations are taking place with the industry about the details and appropriate mechanisms. The Minister of Agriculture has informed the European Commission of our intention.

The Minister of Agriculture will make a statement to the House of Commons on Monday.

COVERING CONFIDENTIAL



Ministry of Agriculture, Fisheries and Food
Whitehall Place, London SW1A 2HH

From the Minister

PRIME MINISTER

At the end of the meeting which you convened last Monday, 12 December, to discuss salmonella in eggs, you asked me to prepare a paper on veterinary and public health measures taken by my Department to tackle the problem.

You also asked me to set out options for future action. I attach a paper covering both aspects. It does not touch upon the separate issue of the short-term measures which we are urgently introducing to help support the egg market.

I am sending copies to Kenneth Clarke, John Major, Peter Walker, Malcolm Rifkind, Tom King, Sir Robin Butler and Sir Donald Acheson.

A handwritten signature in blue ink, appearing to be 'Jm', is located in the lower right quadrant of the page.

JM

16 December 1988

SALMONELLA IN EGGS

INTRODUCTION

1. It became clear only this summer that there was a problem over infection in humans from salmonella enteritidis phage type 4, associated with consumption of eggs and egg products. Study of the evidence jointly by the Department of Health, MAFF and the industry indicated that the main danger of food poisoning arose from raw eggs or from dishes containing raw eggs, such as mayonnaise. The Department of Health consequently issued a statement on 26 August advising consumers to avoid raw eggs or home made dishes including uncooked eggs, and issued similar advice to NHS and commercial caterers. In the light of further evidence, the Department of Health issued advice on 21 November and again on 5 December that vulnerable people, such as the elderly, the sick, babies, toddlers and pregnant women, should only eat eggs which had been cooked until the white and the yolk were solid.

feeding?
2. MAFF's Veterinary Service, other parts of the Agricultural Development and Advisory Service and the Egg Marketing Inspectorate have for years given advice to the poultry industry, including the provision of advisory leaflets, on cleanliness and hygiene. In view of the problems emerging over salmonella infection, MAFF and Department of Health set up a joint working party with the egg industry in August to review the scientific information and identify research needs. At the same time MAFF accelerated discussions which were in train with the industry on improved enforcement of existing legislation and the preparation of Codes of Practice for the poultry industry and feedingstuffs manufacturers designed to reduce the risk of infection at every point along the production chain. Particular effort has been put into overcoming the problem that there is no quick and satisfactory method of testing live birds for salmonella enteritidis. Progress has been made by MAFF vets working with PHLS in seeking a quicker test, in the light of international experience in this area.

3. The epidemiology of salmonellosis in animals and man is immensely complex since there are many routes by which it spreads

from animal to animal and between animals and man. This is summarised in a diagram at Figure 1. In order to obtain a further understanding of the disease a Zoonoses Order was made in 1975 to make the isolation of salmonellae reportable and to give the Ministry powers of investigation.

4. Identification of affected herds is normally by the isolation of the organism in the laboratory. A rapid blood test for use on farm for one particular salmonella serotype gives ambiguous results when used to detect herds affected with Salmonella enteritidis and more refined and specific blood tests are under development in a number of laboratories.

5. The Department of Health warnings and the related press publicity initially had very little effect on demand. However, the Ministerial statement on 3 December that most of the egg production in this country was affected by salmonella, and the massive publicity that generated, have led to an immediate and dramatic fall and by 13 December the major egg packing chains were reporting a 50% drop in their forward orders. The extent to which this represents a certain amount of "de-stocking" by multiple retailers is not yet apparent. Smaller producers supplying direct to the corner shops, the wholesale markets or institutions are reporting a fall in demand of up to 70% or more. The major packers have been able to find some export and processing outlets for their surplus eggs but these are probably now exhausted. Unless action to support the market is taken very large numbers of birds are likely to be slaughtered because producers can no longer afford to feed them and the eggs which cannot be sold will have to be destroyed. There seems little doubt that many egg businesses will go bankrupt and considerable staff lay-offs and redundancies will occur unless consumer confidence can rapidly be restored.

6. There is a widespread European problem of food poisoning due to salmonella enteritidis phage type 4. In the USA a similar problem has been found, but with a different phage type. Travellers returning from some European countries account for a number of the salmonella enteritidis cases in this country but obviously these cannot normally be traced to a specific food. In Brussels the subject has been discussed in the Standing Veterinary Committee, and the Commission are setting up a working group to look into it.

ACTION ALREADY TAKEN OR IN HAND

7. Detailed plans were in hand before December to tackle the problem at every point along the chain, and starting on 5 December action was announced as follows:

- (a) Feedingstuffs: Guidelines for feed compounders were issued on 13 December. A Code of Practice detailing the specific action required, which will be very complex, is being prepared. Progress is being made with the rendering industry (which produces animal protein for inclusion in feeds) to implement more stringent monitoring procedures which will be subject to rigorous enforcement. Work is also being done on greatly strengthened controls on imported feeds.
- (b) Breeding Flocks (ie flocks supplying birds to commercial egg layers and to broiler enterprises): A Code of Practice for breeders who are members of MAFF's Poultry Health Scheme was issued on 5 December following up earlier work with the industry. A similar code for non-members has also just been issued.
- (c) Commercial Egg Laying Flocks: A Code of Practice for commercial egg producers was finalised on 9 December. The joint Government-industry working party referred to in para 2 has now completed its work and has recommended areas for further activity.
- (d) Broiler Flocks: A Code of Practice is being prepared.
- (e) Hygiene in the Home: MAFF and the Department of Health, in the Joint Forum on Microbiological Food Safety, have highlighted the key importance of hygienic handling of food in the home, and the proper use of domestic refrigerators. An education campaign is to be launched in January.

ACTION ON FEEDINGSTUFFS

8. It is extremely important to have effective measures in place to deal with the problem of salmonella in poultry feeds. Unless satisfactory solutions are found at this point in the chain, any action taken further down the chain will be ineffective. MAFF therefore proposes to introduce secondary legislation requiring operators to monitor both raw materials and final feeds regularly. The legislation will also provide for more rigorous enforcement.

9. As a result of a programme of intensive monitoring over time much more stringent measures are proposed for imported feed components. Some supplying countries have a good record for sending salmonella-free animal protein; others have a poor record. A system of black and white lists is planned. Consignments from black list countries will now have to be accompanied by veterinary certificates attesting freedom from salmonella and will be sampled on arrival. If results are positive, no further imports will be allowed from that source unless the material is heat-treated on arrival to render the material safe.

10. These measures will result in a very considerable increase in the cost of feedingstuffs. Although in the present situation, when salmonella is in the public eye, objections to this may be muted, there is likely to be a stronger reaction later when the costs work through into firms' balance sheets.

CONTROL/ERADICATION IN BREEDING FLOCKS

11. A critical element in tackling the salmonella problem is action on the breeding flocks. If breeding flocks are not clear there is a danger of contamination being passed on to laying birds and broilers. MAFF therefore proposes to bring in secondary legislation:

- (i) requiring registration of all breeding flocks and hatcheries;
- (ii) requiring breeders to arrange regular monitoring;

- (iii) requiring breeders to supply MAFF with veterinary certificates setting out the results of that monitoring (including all salmonella isolations whether from animals, animal products or feed); and
- (iv) introducing chargeable inspections by MAFF of all breeding flocks and hatcheries.

This will give statutory backing to the main provisions of the Code of Practice.

Where isolations of invasive salmonellae were found restrictions would be imposed to prevent the sale of chicks where the organism is being transmitted through the hatchery. This would force the owner to clean up his flock or depopulate the site.

12. One of the biggest problems in dealing with salmonella is that it is very widespread and extremely persistent in the environment. There is no technically sound and effective way of eliminating the organism totally from poultry houses. Even after very thorough cleansing and disinfection, salmonella may recur. Because of this, the advice of the Chief Veterinary Officer is that a policy of slaughtering flocks with the aim of eradicating salmonella would not have a realistic prospect of success. There would be a serious risk that even after an infected flock had been slaughtered out and the premises disinfected, subsequent flocks in the same building would be found to be infected. Despite concerted efforts, poultry industry vets have found insuperable problems in eliminating salmonella from buildings. Under the Animal Health Act 1981 compensation must be paid when compulsory slaughter takes place. We could therefore find we were paying several times over for eliminating salmonella from a single house. The current level of infection is not known but it is thought that up to 10% of breeding flocks may be infected with salmonella enteritidis. If so, compensation in the first year might amount to at least £12.5 million, though allowing for recrudescence the figure would probably be higher. Details of the calculation are at Annex A.

13. MAFF consider that the measures described in para 2, which will focus on achieving salmonella freedom in day old chicks, will deal

more effectively with the problem of salmonella in breeding flocks than would a slaughter policy - and without incurring the very substantial cost of compensation.

CONTROL/ERADICATION IN COMMERCIAL LAYING FLOCKS

14. The industry is already required under EC rules to remove from the shell egg market cracked or dirty eggs. There is also already a requirement that packing stations and equipment must be clean.

MAFF proposes to introduce, in addition:

- (i) a requirement on operators to carry out regular bacteriological monitoring of birds;
- (ii) statutory provisions reinforcing existing requirements for the control of rodents;
- (iii) compulsory cleansing and disinfection;
- (iv) statutory requirements for the hygienic handling of eggs.

15. For the same reasons as apply to breeding flocks, compulsory slaughter with compensation does not guarantee a means of total eradication in laying or broiler flocks. Indeed the problems in these sectors would be considerably greater as the standard of hygiene is generally lower in the first place. There would be particular problems with free-range flocks because of the risks of contamination from vermin and wild birds. The cost would depend on the prevalence of infection but would be likely to amount to at least a further £29 million in the first year and probably much more. Details of this calculation also are at Annex A.

16. Apart from the expense and practical shortcomings of slaughter with compensation as a means to eradicate salmonella there are other considerations which militate against this option. As experience in dealing with Newcastle Disease has shown, there would be great scope for abuse as it would be very easy for flock owners deliberately to introduce infection into their flocks in order to gain compensation particularly at the present time when market demand has signifi-

cantly fallen. Introduction of slaughter and compensation would also set a very unwelcome precedent which would be exploited by other interests, for example deer farmers who are already pressing for such a scheme with regard to tuberculosis. The pig industry, which has spent £26 million to eradicate Aujeszky's disease after the Government declined to meet the cost, would claim to have been very unfairly treated.

ACTION AGAINST SALMONELLA IN BROILERS

17. The proposed Code of Practice for keepers of broiler flocks will be finalised early in the New Year and distributed. Action is also needed in poultry slaughterhouses. Guidance has already been sent out to assist in the identification of birds affected by salmonella enteritidis on post mortem inspection. Further work is required on improving processing methods to reduce cross-contamination of carcasses. This will include the development of new slaughterhouse equipment.

HYGIENE IN THE HOME

18. A significant source of food poisoning arises from poor hygienic practices in the kitchen. Following a survey of consumer perceptions and a pilot scheme in selected major towns, the education campaign on hygiene in the home, mentioned in paragraph 7(e), will be launched by Ministers in January. A leaflet will be made available nationally through supermarkets, doctors' surgeries, health visitors, libraries etc. Further initiatives are planned through schools and catering establishments.

SITUATION IN OTHER COUNTRIES

19. Although the problem is already widespread overseas the only significant recent action reported overseas in relation to eggs is in the USA, where a voluntary testing and control programme for poultry flocks has been introduced. Details of the US measures are at Annex B.

20. There have been reports that the Republic of Ireland and Denmark have introduced compulsory slaughter but these reports are incorrect. We understand in confidence that the Danish veterinary

authorities are not contemplating slaughter but will concentrate on improving hygiene throughout the production chain and the treatment of feed. In the Republic of Ireland the veterinary authorities have begun, at the request of the industry, to survey litter and feed at hatcheries for Salmonella enteritidis, so far with negative results. One flock in Cork has been found to be infected and slaughtered voluntarily by the owner. A code of practice has been distributed to the poultry industry but there are no plans to do more at present.

21. The only country which we know to have a slaughter policy is Sweden. This policy is of 15 years standing. It provides that poultry owners may voluntarily participate in a scheme involving slaughter with government-financed compensation, does not cover the whole of the industry and has not succeeded in eradicating the problem, despite the fact that their national flock is only one tenth of the size of the UK flock.

22. Information is available on the hygiene controls applied in several European countries to both imported and home-produced protein feed ingredients. Details are at Annex C. The requirements vary considerably from country to country. As far as imported material is concerned, it is particularly noteworthy that Denmark, West Germany, Switzerland and Finland test all consignments at the frontier and those which are found to be contaminated are either refused entry or subjected to compulsory sterilisation. Some countries such as Denmark and the Netherlands require all poultry feed, including home-produced, to be subjected to pelleting processes which help to destroy salmonella organisms.

MANPOWER AND FUNDING

23. The costs of compensation for compulsory slaughter would, under the Animal Health Act 1981, have to be borne by the Exchequer and could not be found from savings elsewhere in MAFF. They would be an open-ended, long-term commitment and could not be recouped from the industry unless primary legislation were introduced in order to impose a levy on the industry. This would, of course, be bitterly opposed by the industry and could be politically contentious.

24. The other options proposed would have manpower implications but would not otherwise entail public expenditure, apart from an additional £200,000 a year in laboratory costs for consumables in connection with testing and £200,000 capital outlay for testing equipment.

25. MAFF have already reallocated some staff on to salmonella from other work, and will make every effort to move more staff in this way. However, after allowing for this the measures described above assuming slaughter with compensation is not introduced, will require an increase from the present 40 man years to a total of 110 man years devoted to Salmonella work in the State Veterinary Service. These extra 70 man years, at an assumed average cost of £20,000 per man year, would amount to an extra manpower cost of £1.4 million per year and there would be extra running costs of around £400,000. Extra support staff would also be needed to service the veterinary staff; it is not possible to quantify this requirement precisely at this stage, but the cost might be of the order of £100,000. Additional staff will also be needed to prepare and administer the new legislation and codes of practice at headquarters. An additional 8 man years are likely to be needed, at an estimated annual cost of about £120,000.

26. MAFF considers that this additional expenditure on manpower could not be absorbed within the Department's running cost limits. Additional PES money will therefore be needed.

CONCLUSION AND SUMMARY OF ACTION

27. A major effort has been made and is being made by the Ministry to take effective action at all stages of the industry. Action now proposed includes:

- A detailed Code of Practice for feed compounders in preparation.
- Implementation of more stringent monitoring and enforcement in production of animal protein feed ingredients.
- Legislation to be made requiring operators to monitor raw materials and final feeds.

- Strengthening of controls on imported feeds.
- Legislation to be made to require registration of all breeding flocks and hatcheries.
- Legislation to be made to require breeders to monitor and supply results to MAFF.
- Legislation to be made to introduce chargeable inspections by MAFF of breeding flocks and hatcheries.
- Restrictions to prevent the sale of chicks when invasive salmonellae found.
- A statutory requirement on commercial laying flock owners to carry out bacteriological monitoring.
- Reinforcement of statutory requirement to control rodents.
- Introduction of compulsory cleansing and disinfection.
- A public education campaign and leaflet on domestic kitchen hygiene to be launched in January.

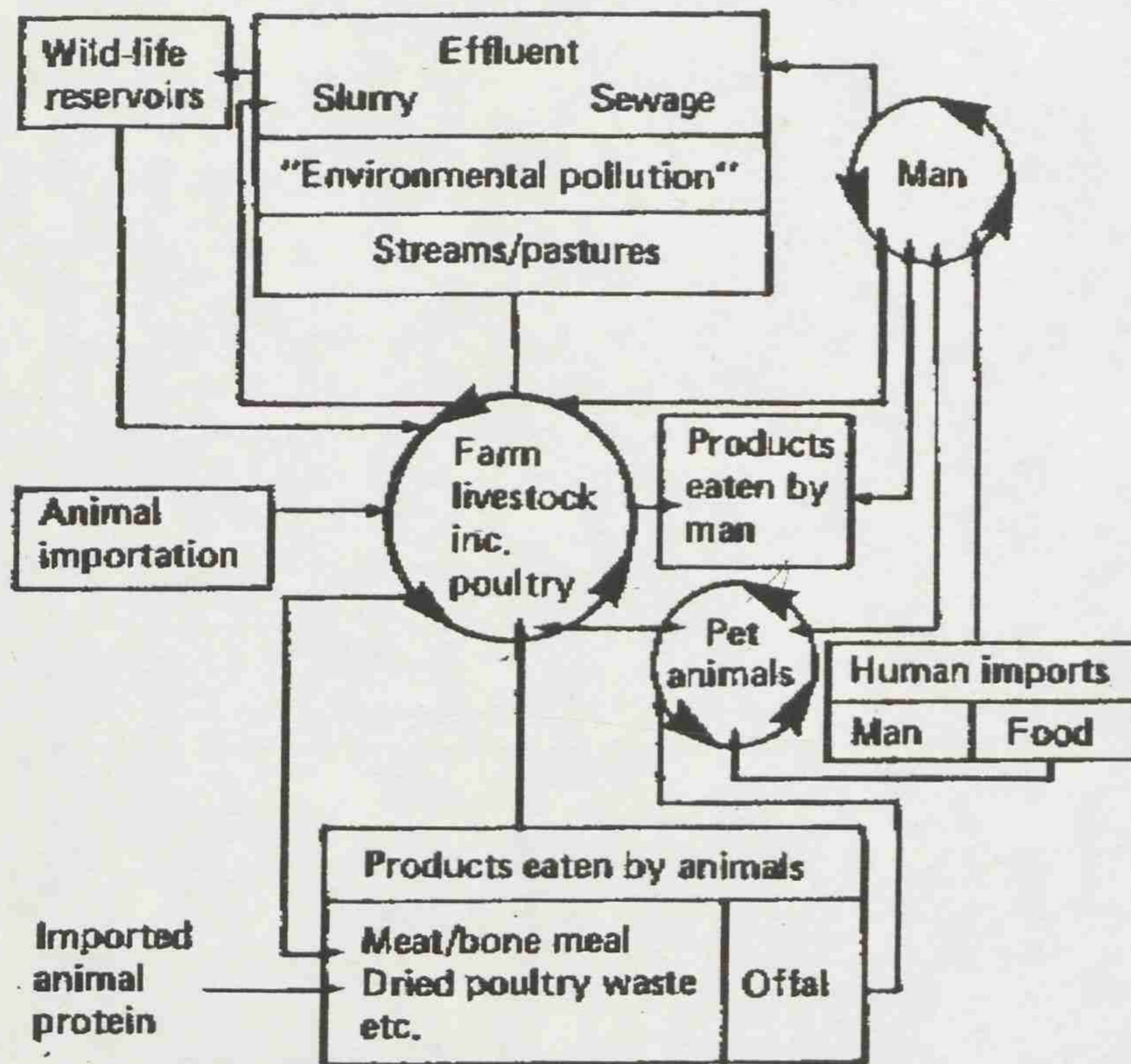
28. The industry, after initial reluctance in the autumn, are now fully aware of the problems facing them and are recognising the need for action to restore confidence.

29. Within the Ministry resources have been reallocated to ensure that effective action is taken, but it is clear that additional resources will be needed if all the courses proposed are to be effectively pursued.

Ministry of Agriculture, Fisheries and Food
16 December 1988

Figure 1

SALMONELLA - Cycling and Recycling in Poultry



002

NO. 026

M. A. F. F. TOLWORTH

13:00

16/12/88

COSTINGS OF SLAUGHTER AND COMPENSATION FOR SALMONELLA ENTERITIDIS
IN POULTRY FLOCKS

Breeding flock

5 million birds worth, say, £25 per head

= total value £125 million

Cost of slaughter and compensation at 100% of value

assuming 10% infection - £12.5 million (but allowing
for recrudescence would be far higher).

Laying flock

40 million birds worth £3 per head

= total value £120 million

Cost of slaughter and compensation at 100% of value

assuming 10% infection - £12 million

assuming 20% infection - £24 million

assuming 30% infection - £36 million

Broiler flock

500 million birds per year, on approx 9 week cycle, so total

birds at any time = approx 83 million, worth £1 per head

= total value £83 million

Cost of slaughter and compensation at 100% of value

assuming 20% infection - £17 million

assuming 30% infection - £25 million

assuming 40% infection - £33 million

MEASURES TO DEAL WITH SALMONELLA IN EGGS IN THE USA

A task force has been established in the USA to plan and co-ordinate action and the production of a voluntary testing programme for poultry flocks. This involves the blood testing of birds, bacteriological examination of reactors, hygiene and disinfection procedures, and notification of the US Department of Agriculture and the State Department of Health if a test reveals an infected breeding or production flock. Such flocks are either slaughtered, or the eggs diverted to officially recognised egg products plants for pasteurisation. A tracing system is also in place to locate other potentially infected flocks. The voluntary scheme is said to have met with an encouraging response - perhaps in recognition of the threat that failure to co-operate would result in mandatory arrangements. Further action in response to the problem with eggs has been:

- a research programme (funded jointly by the USDA and the industry) which aims to determine how infection is passed into the egg;
- the launching of surveys into production practices; and
- the provision of advice to consumers on the storage and cooking of eggs on similar lines to that issued here by the Department of Health (a development of this is the provision of a Meat and Poultry Hotline to disseminate advice to enquirers).

Denmark There is veterinary legislation requiring the sterilisation of imported and home produced feed ingredients of animal origin. Samples from the plant are examined daily for salmonellae and all plants are licenced under veterinary supervision. This was introduced in 1954 and all imported meat and bone meal and fish meal are reheated unless from Iceland, Norway or Sweden. In Denmark 0.3% of reesterilised imported meat and bone meal was contaminated, while samples when taken prior to reesterilisation indicated 17% contaminated. Salmonellas were isolated from 3% of caecal samples and 4% of lymph node samples taken from pigs. Four of the six serotypes found in pigs had been found in reesterilised feed.

All dead animals and offal have to be sent to rendering plants for sterilisation and are dry rendered to at least 124°C for 15 minutes after drying off the air.

It was concluded that sterilisation of animal raw ingredients in Denmark had reduced pig infections with serotypes other than S.typhirmurium (Ref. Salmonellas in pigs and animal feedingstuffs in England and Wales and in Denmark; J. Hyg., Camb. (1972), 70, 127).

Muller (1952, 1957) showed that "foreign" salmonella serotypes had increased in incidence in animals and were also found in man. These exotic serotypes were at the time associated with imported meat and bone meal.

Since introduction of compulsory feed sterilisation in Denmark, unusual strains of salmonellas are seldom found in animals but this does not mean that feed is no longer of any importance in Denmark. Vegetable ingredients are not sterilised and are known to be occasionally contaminated. In 1958 Salmonellas were found in 7 out of 72 vegetable feed samples examined. (Source: W A Watson, Report of a Study Tour - 1976).

IN CONFIDENCE

West Germany

In 1983 legislation controlling the importation of fish meal into West Germany was introduced. This is the Feedingstuffs Import Order of 19 July 1983. These are Federal regulations which are adopted into the legislation of each Land and administered by the Land Veterinary Service.

The regulations require each consignment of fish meal to be accompanied by an official veterinary certificate confirming that the fish meal was heated to a minimum temperature of 80°C throughout for at least 30 minutes.

In addition, before the fish meal can be cleared through Customs, stored in bonded warehouse, or processed under Customs control (eg in a free port) it must undergo an official bacteriological examination for salmonellae. Details of sampling rates and methods etc are set out in the legislation. Consignments cannot be released by Customs until negative results have been confirmed by the competent authority.

If salmonellae are found in any sample, the consignment must be re-exported, destroyed or treated under official veterinary supervision. If treatment is carried out, the consignment must be re-tested and found clear before being released. Similar requirements for importation of bone meal also exist and may be even more stringent.

The Salmonella Reference Centre at Veterinary Medicine Institute have been particularly concerned with trials on the pelletisation of feed, using a conditioner "Trimix" developed by Simon-Heesen. The feedingstuff is conditioned with steam or water before pelleting. Using citrobacter as a marker organism with equivalent resistance to Salmonella senftenberg, there was a 10^6 to less than 10 decrease in bacterial count. It is considered that this machine is adaptable for commercial use by large operators, and the processing to pelleted feed costs 1DM per tonne of feed. If the feed is to be prepared as meal, it requires subsequent drying and this adds to the cost. Experimental work has also been carried out, using irradiation for the decontamination of feed. It has been shown that 0.7 to 1.0 mega Rads are capable of decontaminating feedingstuffs to a depth of 5 centimetres. Propionic acid has also been used experimentally, and this is claimed to be an effective decontaminant at a concentration of 6% over 24 hours. Low concentrations are less effective. (Sources: Dr Watson 1976; M J Atkinson Report of Visit 1985).

PRIME MINISTER

EGGS

Attached is a paper by MAFF examining what is required in the longer term to get on top of the problem of salmonella. The main conclusions are:

- (i) it is not realistic to think in terms of irradication of salmonella, only in terms of reducing it to acceptable levels - see paragraph 12;
- (ii) a slaughtering/compensation policy is unlikely to be cost-effective - see paragraphs 12 and 15;
- (iii) the emphasis is on improving food stuffs - paragraph 8, improving the quality of day old chicks - paragraph 11, and better hygiene and monitoring of the laying flocks - paragraph 14.

The paper does not call for decisions from you.

Agree to note the conclusions and to urge MAFF to settle with the Treasury the resource implications of putting these measures into effect so that a package can be announced as a matter of urgency?

On the immediate measures, MAFF are still encountering legal problems. The clear advice they are receiving is that a buying-in scheme under the egg regime is illegal. They are therefore looking for ways of presenting the scheme as state aid which takes the form of compensation to packers in respect of destruction of eggs. State aids are classified as those which are compatible with the Treaty and those which are not. To be compatible it is usually necessary to pray in aid some special occurrence. The Attorney General, however, has so far ruled that he does not regard the present situation as an exceptional occurrence. MAFF will be discussing the facts of the case with him further to see whether he is able to modify

the ruling.

But even if this hurdle were overcome there is still the Whitehall guidance, based on earlier advice from the Attorney General, that payment of any state aid, whether or not regarded as compatible, should not take place until the scheme in question has both been notified and cleared by the Commission. MAFF are investigating whether notification would suffice.

All this leaves a great deal to be done if the loose ends are to be sewn up in time for a statement on Monday afternoon.

The proposal currently being worked out relates to the buying-in of eggs but I have detected signs that MAFF are already thinking of moving on to the buying-in of hens. It may come to this, but it seems premature to give any hint of this until the facts of the advertising campaign and the buying-in programme have been established.

The Chancellor will have something to say about this

AT

ANDREW TURNBULL

16 December 1988

PM3AFP



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ce BT
PAB
Q
Political

From the Minister's Private Office

Mr Andrew Turnbull
No 10 Downing Street
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SW1

15 December 1988

Dear Andrew

Ministers have agreed in principle that we should work towards introducing as quickly as possible a short-term buying-in scheme for the egg industry as a wholly exceptional measure given the present state of the egg market. My Minister has discussed with you and his colleagues the handling of the announcement and, as discussed, I now attach:

- (i) a draft oral statement which might be given to the House at 11.00 am tomorrow; and
- (ii) a draft press statement which might issue at about midday tomorrow announcing that consultations would be taking place with the trade to consider the mechanisms for such a scheme and making clear that a statement would be made to the House on Monday.

Given that it is difficult to be precise on the mechanisms for such a scheme until we have consulted with the trade my Minister tends to favour the second option of a press release. If we went ahead on this basis we would propose to make an oral statement on the lines of the attached draft on Monday; however, of course we would hope to be able to fill in slightly more details then. On balance, for the reasons we have discussed, we favour this approach and I should be grateful for any comments you and copy recipients may have by 11.00 am tomorrow.

One further advantage of the press statement is that it enables us to act quickly, while giving us some flexibility on the precise timing of any announcement tomorrow. As my Minister explained to you we are in the process of clearing our approach with Mr Andriessen, the Agriculture Commissioner, and we would need to have his clearance before we could proceed.

I am copying this letter to Bernard Ingham (No 10), Murdo MacLean (Chief Whip's Office), Rhodri Walters (Chief Whip (Lords) Office), Trevor Woolley (Cabinet Office), Alison Smith (Lord President's Office), Nick Gibbons (Lord Privy Seal's Office), Stephen Williams (Welsh Office), David Crawley (Scottish Office), Mike Maxwell (Northern Ireland Office), Andrew McKeon (Dept of the Health), Michael Saunders (PS/Attorney General) and Carys Evans (Treasury).

Sincerely



SHIRLEY STAGG (MRS)
Principal Private Secretary

DRAFT STATEMENT TO THE HOUSE OF COMMONS

The Department of Health drew the Government's attention this summer to a new and growing problem from Salmonella enteritidis linked to eggs, and in August the Chief Medical Officer issued advice to the public on the risks of infection from consumption of raw eggs, or home made dishes containing raw eggs; and later advised vulnerable people to cook eggs until they were solid. As a result of the Department of Health's information my Department acted immediately with the industry to tackle the problem at every point in the production chain. This led to the publication of Codes of Practice to apply to commercial and breeding flocks.

However, during the last two weeks a great deal of uncertainty has arisen over the implications of the problem for consumers and this has caused a sharp decline in egg sales. The Government have, therefore, taken steps, through a series of newspaper advertisements starting today, to reiterate the advice of the Chief Medical Officer and to ensure that the facts were clear to everyone.

In view of the adverse impact that this uncertainty has had on the market, the Government has also decided, as a wholly exceptional measure, to introduce a short-term buying-in operation to help support the market at a critical period. We will be entering into immediate discussions with the trade with a view to implementation within a few days. I am also in touch with the European Commission in respect of any Community aspects of these arrangements.

Parliamentary approval to this new service will be sought in a Supplementary Supply Estimate for Vote IV 3 XVI 1 and XVII 1 and authority for the payments will rest upon the Estimates and the Appropriation Act. Pending that approval, urgent expenditure estimated at £7 million will be met by repayable advances from the Contingencies Fund. This cost will be found from the Reserve, so that there is no addition to the planned total of public expenditure.

15 DECEMBER 1988

DRAFT PRESS RELEASE ON BUYING-IN SCHEME FOR EGGS

The Government has taken a decision in principle to introduce a short-term buying-in scheme for the egg industry, as a wholly exceptional measure, in view of the present state of the egg market.

Consultations are taking place immediately with the trade to consider the details and appropriate mechanisms.

The Rt Hon John MacGregor, Minister of Agriculture, Fisheries and Food, will make a statement to the House of Commons on Monday.

CE BT
PAB
Q
Polster



Ministry of Agriculture, Fisheries and Food
Whitehall Place London SW1A 2HH

From the Ministry Office

Andrew Turnbull
10 Downing Street

London SW1

15 December 1988

Andrew

We have agreed in principle that we should work towards introducing as quickly as possible a short-term buying-in scheme for the egg industry as a wholly exceptional measure given the present state of the egg market. My Minister has discussed with you and his colleagues the handling of the announcement and discussed now attach:

1. A 3 a.m. oral statement which might be given to the House at 11.00 am tomorrow; and

2. A draft press statement which might issue at about midday tomorrow announcing that consultations would be taking place with the trade to consider the mechanisms for such a scheme. It is being clear that a statement would be made to the House on Monday.

It is difficult to be precise on the mechanisms for such a scheme. However, we have consulted with the trade my Minister tends to favour the second option of a press release. If we went ahead with this we would propose to make an oral statement on the basis of the attached draft on Monday; however, of course we would hope to be able to fill in slightly more details then. On balance, for the reasons we have discussed, we favour this approach and would be grateful for any comments you and copy recipients might have by 11.00 am tomorrow.

The further advantage of the press statement is that it enables us to act quickly, while giving us some flexibility on the timing of any announcement tomorrow. As my Minister explained, we are in the process of clearing our approach with Mr. [Name] of the Agriculture Committee and we would need to have his views on the draft press statement by tomorrow.

I am copying this letter to Bernard Ingham (No 10), Murdo MacLean (Chief Whip's Office), Rhodri Walters (Chief Whip (Lords) Office), Trevor Woolley (Cabinet Office), Alison Smith (Lord President's Office), Nick Gibbins (Lord Privy Seal's Office), Stephen Williams (Irish Office), David Crawley (Scottish Office), Mike Maxwell (Northern Ireland Office), Andrew Morrison (Dept of the Health), Michael Saunders (Attorney General) and Marys Evans (Treasury).

Sincerely



SHIRLEY STAGG (MRS)
Principal Private Secretary.

ANNEX

(i)

DRA STATEMENT TO THE HOUSE OF COMMONS

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CONFIDENTIAL



10 DOWNING STREET

LONDON SW1A 2AA

From the Principal Private Secretary

15 December 1988

Dear Shirley,

STATEMENT ON EGGS

The Prime Minister has seen your letter to me of 15 December. She agrees that the option of a press statement tomorrow is better than a full oral statement to the House. She does however consider that it would be better to time the release of this statement after the conclusion of the debate in the House. She has also suggested that the press statement should include a reference to clearance with the European Commission, partly to make clear that this has been done but also partly to provide an explanation of why the statement could not have been issued earlier in the day.

I am copying this letter to Murdo Maclean (Chief Whip's Office), Rhodri Walters (Chief Whip's Office, House of Lords), Alison Smith (Lord President's Office), Nick Gibbons (Lord Privy Seal's Office), Stephen Williams (Welsh Office), David Crawley (Scottish Office), Mike Maxwell (Northern Ireland Office), Andrew McKeon (Department of Health), Michael Saunders (Law Officers' Department), Carys Evans (Treasury), Bernard Ingham (No 10) and Trevor Woolley (Cabinet Office).

Your sincerely

Andrew Turnbull

ANDREW TURNBULL

Mrs Shirley Stagg
Ministry of Agriculture, Fisheries and
Food

CONFIDENTIAL



Ministry of Agriculture, Fisheries and Food
Whitehall Place London SW1A 2HH

From the Minister's Private Office

Mr Andrew Turnbull
No 10 Downing Street
LONDON
SW1

15 December 1988

Dear Andrew

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Sincerely,

A handwritten signature in red ink, appearing to read 'Shirley Stagg', written in a cursive style.

SHIRLEY STAGG (MRS)
Principal Private Secretary



10 DOWNING STREET

Prime Minister

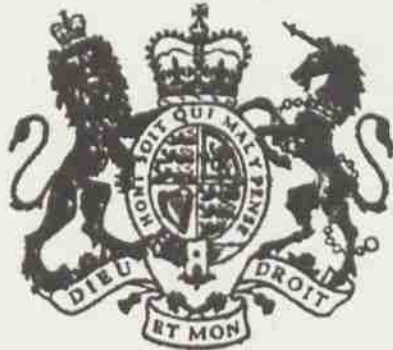
I understand the Minister of
Agriculture will raise the subject of
eggs. Having got agreement to an
advertisement, you will not want
it to become unpicked. Enclosed
is a copy of the text which should appear
in Friday's papers.

Also enclosed is a copy of
the AFU statement setting out the
three point plan which was
mentioned at ^{Monday's} ~~Tuesday's~~ meeting.

AT

14/12

CONFIDENTIAL



FILE
EAMAJIT
CC 01

10 DOWNING STREET

LONDON SW1A 2AA

From the Principal Private Secretary

14 December 1988

Dear Shirley,

SALMONELLA AND EGGS

The Prime Minister has seen Frank Strang's letter to me of 13 December and the draft text of an advertisement which was attached to it. She has also seen Flora Goldhill's letter of 13 December and the draft attached to it. She was also shown a text produced by Bernard Ingham which sought to marry the two drafts. The Prime Minister took the view that there should be an advertising campaign along the lines of the compromise text.

After further discussion during the course of the morning, the attached version was finally agreed. This is to appear in Friday's papers. It was also agreed that it would appear as a plain, factual statement without embellishment.

I am copying this letter to Flora Goldhill (Department of Health), Carys Evans (Office of the Chief Secretary to the Treasury), Frank Strang (Ministry of Agriculture, Fisheries and Food) and Trevor Woolley (Cabinet Office).

Yours sincerely

Andrew

ANDREW TURNBULL

Mrs Shirley Stagg
Ministry of Agriculture, Fisheries
and Food

EAM

CONFIDENTIAL

EGGS: THE FACTS

Eggs are a valuable and nutritious part of a balanced diet.

We in Britain eat, on average, 30 million eggs a day - 200 million a week.

The number of reported cases of food poisoning from salmonella linked to eggs is very small by comparison with the huge numbers of eggs that are consumed.

So far this year there have been 49 reported outbreaks of salmonella traced back to eggs. These outbreaks have affected 1000 people but this underestimates the numbers.

The Government and the industry are tackling the problem and, among other things, have issued codes of practice for poultry breeders and egg producers.

In the meantime people will want to know the facts about a basic part of their daily diet.

The Government has therefore asked its Chief Medical Officer, Sir Donald Acheson, to advise the public about the use of eggs. Sir Donald's present advice is:

'for healthy people there is very little risk from eating eggs which are cooked, however you prefer them - boiled, fried, scrambled or poached;

for vulnerable people - that is, the elderly, the sick, babies, toddlers and pregnant women - eggs should be thoroughly cooked until the white and yolk are solid;

but everyone should avoid eating raw eggs or uncooked foods made from them - for example, home made mayonnaise, home made mousses, home made ice-cream or raw eggs mixed with drinks'.

The Chief Medical Officer adds:

'As with all cooked foods, egg dishes should be eaten as soon as possible after cooking. And if the dishes are not for immediate use they should be kept in the fridge.'

Please follow this advice.

H M GOVERNMENT



DEPARTMENT OF HEALTH AND SOCIAL SECURITY

Richmond House, 79 Whitehall, London SW1A 2NS

Telephone 01-210 3000

From the Secretary of State for ~~Social Services~~ Health

Andrew Turnbull Esq
 Principle Private Secretary
 10 Downing Street
 LONDON SW1A

13 December 1988

Dear Andrew

You will by now have received, I think, a copy of the proposed advertisement about salmonella and eggs which has been prepared by Bernard Ingham.

As I mentioned to you on the telephone, my Secretary of State, and the Chief Medical Officer have serious reservations about the value of this kind of advertisement at present. They feel that it will simply continue to give the issue a very high profile rather than re-assure the public as intended. Instead, they feel that we need to get clear what is being done to eradicate salmonella before advertisements are taken out.

The Secretary of State is also concerned that the proposed advertisement places the Chief Medical Officer in a vulnerable position. It is likely that he, more than the Government, would be identified with it. If the number of cases of salmonella enteritidis increases, and the Chief Medical Officer feels that they will, the advertisement will be remembered as Chief Medical Officer and the Government encouraging the eating of eggs. Nor, of course, would it be appropriate for the Chief Medical Officer to be associated with anything which could be described as "promotional advertising" for the egg industry.

It is for these reasons that my Secretary of State and the Chief Medical Officer would prefer not to go ahead with the proposed advertisement. If the balance of Government dictates that an advertisement must go ahead, then the Department of Health is prepared - albeit reluctantly - to agree to the text which is enclosed with this letter. However, the Secretary of State feels very strongly that the Chief Medical Officer has been pressed as far as it is proper to press him given his professional and constitutional position.

I am copying this letter and enclosure to Stephen Lambert and Carys Evans.

Yours ever

Flora

FLORA GOLDHILL
 Private Secretary



From the
Parliamentary
Secretary

CF
CCPV
Ministry of Agriculture, Fisheries and Food
Whitehall Place London SW1A 2HH

CONFIDENTIAL

Andrew Turnbull Esq
Principal Private Secretary
to the Prime Minister
10 Downing Street
LONDON
SW1A 2AA

13 December 1988

Dear Mr Turnbull,

SALMONELLA AND EGGS

It was agreed at last night's meeting with the Prime Minister that Ministers should look urgently at the text of an advertisement to be issued in the next two or three days. I am writing to set out why my Minister and Mr MacGregor continue to feel that we must press ahead with such an advertisement.

We should not underestimate the uncertainty and confusion amongst the general public about the true facts on eggs. We have to acknowledge that responsibility for this confusion lies partly with the Government itself. We have a public duty to set out the facts by striking a balance between giving sound advice to the public on health, and convincing the egg industry that enough is being done to restore public confidence in eggs.

As Mr MacGregor outlined yesterday evening, the industry is in some difficulties and consumers are puzzled. Failure to take firm action to put across the true picture would lead to a further nosedive in sales. For a reasonable cost now, we could avoid the possibility of incurring considerable expenditure in the future.

These arguments in themselves would suffice to justify the issue of an advertisement. There is, however, the added factor of the Press reports that such a step is being actively considered. This

/Department's Press Office ...

Department's Press Office is currently being inundated with enquiries. Both the general public and the industry expect an advertisement. Failure to issue one could only be interpreted as disunity in the Government and bolster doubts over the safety of eggs. Either interpretation would do severe damage.

As to the text of the advertisement itself, my Ministers have very much welcomed the version circulated today by Mr Ingham, of which I
... attach a copy. It would be acceptable to us in its entirety. I
... also attach a copy of the redraft prepared by the Department of Health. It seems to us that this version in no way fulfills the remit given at the Prime Minister's meeting to "strike a difficult balance between giving sound advice to the public on health, and convincing the egg industry that enough is being done to restore public confidence in eggs." The purpose of the advertisement is to reassure, advise and remind. The Department of Health version, we believe, errs much too far on the side of being a Government Health Warning, and would do nothing to check the slide in demand for eggs. Mr Ingham's version achieves precisely the right balance.

I am copying this letter to Andy McKeon (Department of Health), Carys Evans (Chief Secretary's Office) and to Sir Robin Butler.

Yours sincerely,

Frank Strang

FRANK STRANG
Private Secretary to Mr Ryder

EGGS: THE FACTS

Most people go to work on an egg. In fact, 30 million eggs are eaten in the United Kingdom each day - 200 million a week.

Eggs are a most valuable and nutritious part of a balanced diet.

And the number of cases of food poisoning from salmonella known to be linked to eggs is very small indeed compared with the huge numbers of eggs that are eaten.

The Government and the egg producers are urgently *trying to get rid of* the problem caused by salmonella.

In the meantime, *many* people who enjoy eggs want to know the facts about a basic part of their daily food.

The Government has therefore asked its Chief Medical Officer, Sir Donald Acheson, to advise consumers about eating eggs. This is what he says;

"for normal healthy people there is very little risk from eating eggs which are cooked, however you prefer them - boiled, fried, scrambled or poached.

"for more vulnerable people - that is, the elderly, the sick, babies, toddlers and pregnant women - eggs should be thoroughly cooked until the white and yolk are solid.

"but everyone should avoid eating raw eggs or uncooked foods made from them - for example, home made mayonnaise, home made mousses, home made icecream or raw eggs mixed with drinks."

The Chief Medical Officer adds:

"As with all cooked foods, egg dishes should be eaten as soon as possible after cooking. And if the dishes are not for immediate use they should be kept in the 'fridge'."

To sum up, The Chief Medical Officer says:

"You can still go to work on an egg - or enjoy your favourite egg dish - provided you follow the sensible advice I have set out above".

0310A

DRAFT ADVERTISEMENT

(Dept. of Health)

Eggs are a most valuable and nutritious part of a balanced diet.

But so far this year, 49 outbreaks of salmonella affecting just over 1000 people have been traced back to eggs.

That is why the Government in conjunction with the industry have taken steps to issue Codes of Practice to tackle the problem and that is why they are also considering other measures.

In the meantime, people will want to know the facts about a basic part of their daily diet.

The Government has therefore asked its Chief Medical Officer, Sir Donald Acheson, to advise consumers about the risks from eating eggs at present. This is what he says:

"for healthy people there is very little risk from eating eggs which are cooked, however you prefer them - boiled, fried, scrambled or poached;

for vulnerable people - that is, the elderly, the sick, babies, toddlers and pregnant women - eggs should be thoroughly cooked until the white and yolk are solid;

but everyone should avoid eating raw eggs or uncooked foods made from them - for example, home made mayonnaise, home made mousses, home made icecream or raw eggs mixed with drinks".

The Chief Medical Officer adds:

"As with all cooked foods, egg dishes should be eaten as soon as possible after cooking. And if the dishes are not for immediate use they should be kept in the 'Fridge'".

The Government is keeping the situation closely under review.

0310A

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The Chief Medical Officer adds:

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The Government is keeping the situation closely under review.

- AF 13/12
1. MR TURNBULL
 2. PRIME MINISTER

EGGS - ADVERTISING

After your meeting on Monday evening on the egg problem, I took part in some desultory drafting of a possible advertisement with Ministers and officials. It soon became clear that nothing usable was then likely to emerge so I said I would like to think about a text overnight.

My re-draft at Annex I was awaiting Ministers and officials in their offices this morning. At the end of a day's negotiation MAFF are able to agree to my draft at Annex I.

Department of Health has however revised the presentation to make it much more like a health warning. MAFF think that the Department of Health re-draft at Annex II does not meet your requirement to strike the difficult balance between giving sound advice to the public on health and convincing the egg industry that enough was being done to restore public confidence in eggs.

I am bound to say that I agree with MAFF.

But the fact is that we have come a long way towards agreement on a text and it should be possible to achieve it with one last shove tomorrow.

The question however still to be resolved is whether it is sensible to go in for any advertising at all. You know I was very sceptical indeed at Monday's meeting on the desirability of advertising and feared that it could be counter-productive.

My exposure in the course of today to media questions has convinced me that, provided we can agree a satisfactory text, the risks now lie with not advertising.

Unhappily briefing over the weekend has led the media to expect an early advertising campaign. It is at least possible that because we have not been able today to confirm that advertising will go ahead, there will be stories tomorrow about MAFF and Health being at loggerheads over what to tell the public.

This may well lead on to stories suggesting that Mrs Currie was right after all and that the Government is afraid to come clean. This, far from helping the industry, will compound the problem.

The Way Forward

Consequently, I suggest the way forward is for the Chief Whip (who has been brought into the argument) to chair a meeting tomorrow with Department of Health and MAFF Ministers and, with my professional support, seek to reach agreement on a text.

I suggest that the basis of the attempt should be my further re-draft at Annex III which tries to strike a balance between sound advice to the public and reassurance to the industry.

Content for me to proceed on the basis of Annex III?

Yes
Bernard Ingham

BERNARD INGHAM

December 13, 1988

PRIME MINISTER

EGGS - ADVERTISING

During the course of the day MAFF and DoH have been unable to agree a text; indeed they reached different conclusions on the merits of an advertisement. The Minister of Agriculture feels very strongly that we should proceed and that if we do not the situation could run out of control. The Secretary of State for Health believes a campaign could be counter-productive and would put the Chief Medical Officer in an exposed position. He does, however, reluctantly concede that an advertisement could go ahead provided it was with a different text. Their respective positions are set out in the attached letters.

Bernard's minute recommends that the advertisement should go ahead but suggests a compromise.

Agree:

(i) that the balance of advantage now lies with proceeding with an advertisement;

(ii) that discussions should take place between the departments tomorrow morning to finalise the text;

(iii) that Bernard's compromise provides the right sort of balance.

AT

Andrew III is excellent

(ANDREW TURNBULL)

13 December 1988

mt

MR TURNBULL

13 DECEMBER 1988

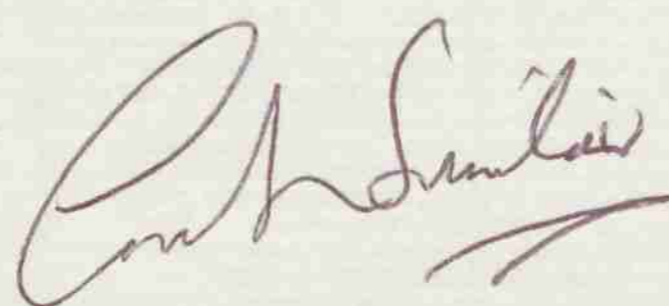
SALMONELLA IN EGGS

After we spoke, Richard Gueterbock, John MacGregor's Political Adviser, came to see me about the Government message on eggs.

MAFF are quite happy with the attached text prepared by Bernard Ingham. They believe that Department of Health are trying to sabotage the exercise. The press are expecting a statement from the Government on Friday. MAFF fear that Department of Health will continue to quibble about the text in order to miss the Friday deadline. The result will be press speculation that the Government cannot agree on what to say about eggs. This will be bad for the Government, let alone for the egg industry.

I relate the above for what it is worth.

Having been out of the office for two days, my first reaction was to share John Major's view that a statement by the Government might do more harm than good. But if it is the case that a statement is now widely expected, I tend to share MAFF's view that it would be better to go ahead with a suitably worded message on Friday than to leave the impression that Department of Health and MAFF are at loggerheads.



CAROLYN SINCLAIR

EGGS: THE FACTS

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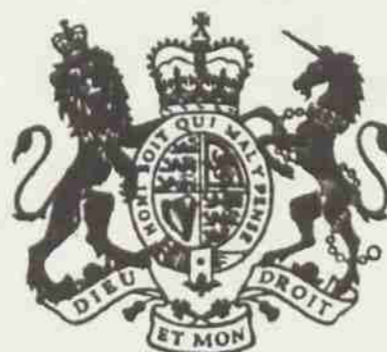
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To sum up, The Chief Medical Officer says:

"You can still go to work on an egg - or enjoy your favourite egg dish - provided you follow the sensible advice I have set out above".

Issued by H.M. Government



FILE MJ
bc B1

10 DOWNING STREET

LONDON SW1A 2AA

From the Principal Private Secretary

13 December 1988

Dear Shirley,

SALMONELLA IN EGGS

The Prime Minister held a meeting yesterday to discuss the Government's response to the problem of salmonella in eggs. Also present were the Secretary of State for Health, Chief Secretary, HM Treasury, the Parliamentary Secretary, Ministry of Agriculture, Sir Donald Acheson, Chief Medical Officer, and Mr Keith Meldrum, Chief Veterinary Officer.

The Prime Minister said there was undoubtedly a genuine and growing problem of infection of eggs by salmonella enteritidis PT4, but also that public confidence in eggs had been severely damaged by conflicting statements from the Government. This was affecting the livelihood of egg producers. Egg production was piling up and some slaughtering of flocks had begun. It was essential both to restore confidence and to tackle the underlying problem.

The Minister of Agriculture said he had been in frequent contact with the leaders of the NFU to urge upon them that a high profile campaign was likely to be counter-productive. While they accepted this, they were under great pressure from the egg producers. The NFU were urging a three point approach:-

- (a) a Government advertising campaign to clarify the facts
- (b) action to reduce the size of the national flock
- (c) action to take surplus eggs out of the system.

The second and third were bound to lead to the issue of compensation. While resisting this, he felt that the Government should be prepared to finance an advertising campaign building on the Chief Medical Officer's earlier advice.

The Secretary of State for Health agreed that a high profile campaign by the egg industry would be counter-productive but urged caution about a Government

KK

advertising campaign. There seemed to be an upward trend in salmonella infection. The Government could not therefore guarantee that even if the Chief Medical Officer's advice were followed that the position on recorded cases of salmonella would be better (this was complicated by the fact that the proportion of cases reported was likely to increase). It would also be difficult to construct a message which satisfied the egg industry.

The Prime Minister said it was essential to tackle the fundamental problem by eradicating or at least reducing very substantially the degree of infection in poultry flocks. The advice of the Chief Veterinary Officer was that this had to be tackled from the top down, starting with the breeding flocks, so that over a period of months the laying flocks could be replaced by healthier birds. The Chief Secretary said that before any commitment to compensation for eradication of diseased flocks could be entered into it was essential to establish the facts of the case, including any possible contributory negligence on the part of the owners of diseased flocks. It would also be essential to ensure that any conditions for compensation did not undermine the position with other animal diseases such as BSE.

Summing up the discussion, the Prime Minister asked the Minister of Agriculture and the Secretary of State for Health to work urgently on the text of a Government message which might be issued in the next few days. This would build on the existing advice from the Chief Medical Officer but would have to strike a difficult balance between giving sound advice to the public on health and convincing the egg industry that enough was being done to restore public confidence in eggs. The legal aspects of providing such advice should also be considered. At the same time, work should be put in hand to bring about a major improvement in the health of the country's poultry flock. Any public expenditure implications should be discussed with the Chief Secretary to the Treasury.

I am copying this letter to Andy McKeon (Department of Health), Carys Evans (Chief Secretary's Office), Frank Strang (Parliamentary Secretary's office, Ministry of Agriculture) and to Sir Robin Butler.

Your sincerely

Andrew

Andrew Turnbull

Mrs Shirley Stagg
Ministry of Agriculture, Fisheries and Food.

4/13/12

1. cc. eggs are.
ew Mr Strong
1311² Private Offices

Mr Ring
~~Mr~~ Mrs Attridge
Mr Smith

Mr Hadley
Mr Mason
Mr Myers
Mr Nicholson
Mr Crutchbank

AGRICULTURE HOUSE · KNIGHTSBRIDGE · LONDON SW1X 7NJ

2. Fax to Mr Stagg in Brussels
01-235 5077



THE
NATIONAL FARMERS'
UNION

FROM THE PRESIDENT

12th December 1988

Rt Hon John MacGregor OBE, MP
Minister of Agriculture, Fisheries and Food
Whitehall Place
LONDON
SW1A 2HH

Dear John

Enclosed is our action plan for the eggs crisis which I briefly discussed with you earlier this afternoon. I will talk to Richard Ryder about it tomorrow and look forward to discussing it further with you on Wednesday morning.

I have also written to some of your Cabinet colleagues and attach a copy of that letter.

Yours
Simon

Enclosures

AN ACTION PLAN FOR THE EGG CRISIS

1. BACKGROUND

The background to the present crisis is as follows:-

- 1.1 the fall in consumption will be sustained for a period, and then will recover if consumer confidence can be re-established.
- 1.2 unless action can be taken, the collapse in the egg price will continue with very severe repercussions across the whole industry.
- 1.3 the need to reassure consumers, by whatever steps may be necessary, through the effective implementation of the new salmonella enteritidis control schemes.

2. THE PACKAGE

The main elements of the package are:

- 2.1 to remove eggs which cannot be sold in the present state of the market in conjunction with a reduction in the national flock;
- 2.2 to mount an advertising campaign with two objectives:
 - (i) clarification by the Government of the minimal risks;
 - (ii) an aggressive selling campaign aimed at restoring normal levels of egg consumption;
- 2.3 to compensate producers, including hatcheries and pullet rearers, in order to cut the national flock as quickly as possible;
- 2.4 to impose strict conditions for salmonella enteritidis control so that all flocks will be within a testing programme at the earliest possible time;
- 2.5 to provide compensation where flocks positively identified as carrying salmonella enteritidis, have to be slaughtered;
- 2.6 to take appropriate steps to minimise the risk of re-infection, including action on imports;
- 2.7 to give priority to an adequate research programme on control of salmonella enteritidis in poultry.

3. SCHEME

3.1 Egg buying-in programme

The first priority is for a buying-in programme to be introduced. This could be operated through the major egg packing stations, along the lines of the current arrangements for exports. The price would have to be determined.

There would be substantial problems in disposing of the bought-in eggs. The possibility of processing these eggs so they can be used in an aid programme should be explored.

3.2 Flock reduction programme

The objective is to restore market balance by reducing the national flock as quickly as possible in line with the fall in consumption.

This could be achieved by offering an incentive to slaughter birds in the latter part of their laying life and to provide appropriate compensation for hatcheries and pullet rearers. There would be an undertaking that there would be no re-stocking for an appropriate period.

LIST OF RECIPIENTS

The Rt. Hon. Peter Walker MBE MP
The Rt. Hon. Kenneth Clarke QC MP
The Rt. Hon. The Lord Young of Graffam
The Rt. Hon. Sir Geoffrey Howe QC MP
The Rt. Hon. Nigel Lawson MP
The Rt. Hon. The Lord Belstead JP DL
The Rt. Hon. John Wakeham MP
The Rt. Hon. John Major MP

c.c. The Rt. Hon. J. MacGregor, OBE MP

AGRICULTURE HOUSE · KNIGHTSBRIDGE · LONDON SW1X 7NJ

01-235 5077



THE
NATIONAL FARMERS'
UNION

FROM THE PRESIDENT

12th December 1988

I am writing to seek your support for emergency action to help save the UK egg industry from disaster. Only effective intervention by the Government can deal with the crisis.

The egg market has collapsed over the past week and the situation is desperate. At the wholesale level, sales are reported to be down by over 50 per cent. Unsold stocks of eggs are estimated to have increased already by well over 100 million and to be rising by at least 16 million a day. At the current rate of egg consumption, millions of laying birds are surplus to requirements.

All sections of the egg industry, whose sales exceed £750 million annually, are in serious difficulty and many producers are facing bankruptcy. Nor does the problem end there. The repercussions will affect the suppliers of feedingstuffs, cereal growers and employment throughout the egg industry.

The NFU believes a three-part scheme is needed.

First, the Government must allay the fears of consumers by a clear statement of the minimal risk related to salmonella enteritidis in eggs and the measures being taken to deal with the problem. That should stop the slump in demand and provide a basis from which an advertising campaign can be mounted. But, at best, it will take time to recover the lost ground and meanwhile the current surplus of eggs and of laying hens must be dealt with.

Secondly, there needs to be a buying-in programme to provide an outlet for surplus eggs now in the marketing chain or held by producers.

Thirdly, there is a need to bring the laying flock into balance with current egg consumption, and for this, compensation should be provided to producers who have to slaughter birds prematurely.

The industry is doing everything possible to minimise the risk of salmonella in the future. Codes of Practice are already agreed for breeding stock and a code for commercial egg production is close. A further code relating to compound feedingstuffs is also imminent. Producers are fully prepared to accept whatever steps are necessary to make this programme effective.

The immediate need is for urgent action by the Government to deal with the most serious crisis ever to hit egg producers.

SIMON GOURLAY
PRESIDENT

PRIME MINISTER

EGGS

The Permanent Secretary at MAFF, Derek Andrews, telephoned me this afternoon to say that his Minister was extremely concerned by the reporting on eggs in the weekend's papers. The story does not seem to be going away. Some extreme statements were being made by pressure groups which could likely further affect the egg trade.

Mr. MacGregor had discussed the position this afternoon with Mr. Clarke. They were thinking of running an advertising campaign on Wednesday. This would have the message

"The Chief Medical Officer advises"

Tricky judgement would be needed whether such a campaign would bring confidence or would simply perpetuate further stories. The two Ministers will come to a judgement tomorrow in the light of the morning's press and provide advice.

Patricia A. Parker

N. L. WICKS

11 December 1988

cc: B. INGHAM

0278A



DEPARTMENT OF HEALTH AND SOCIAL SECURITY

Richmond House, 79 Whitehall, London SW1A 2NS

Telephone 01-210 3000

From the Secretary of State for ~~Social Services~~ Health

*P. W. Beorgan
to see r/p.*

Prime Minister²

to NB, especially X.

Paul Gray Esq
Private Secretary
10 Downing Street
LONDON SW1A

9 December 1988

*The lin 750 eggs
figure is wrong.*

pub

Dear Paul

N.C.U

9.12

SALMONELLA AND EGGS

As agreed at Cabinet yesterday, I attach some briefing which has been prepared jointly by DoH and MAFF.

I am sending copies of this letter and enclosure to the private secretaries to other members of the Cabinet and to Sir Robin Butler.

Yours ever

Flora

FLORA GOLDHILL
Private Secretary

WIFT STATEMENT TO THE HOUSE OF COMMONS

The Department of Health drew the Government's attention this summer to a new and growing problem from Salmonella enteritidis linked to eggs, and in August the Chief Medical Officer issued advice to the public on the risks of infection from consumption of raw eggs, or home made dishes containing raw eggs; and later advised vulnerable people to cook eggs until they were solid. As a result of the Department of Health's information my Department acted immediately with the industry to tackle the problem at every point in the production chain. This led to the publication of Codes of Practice to apply to commercial and breeding flocks.

However, during the last two weeks a great deal of uncertainty has arisen over the implications of the problem for consumers and this has caused a sharp decline in egg sales. The Government have, therefore, taken steps, through a series of newspaper advertisements starting today, to reiterate the advice of the Chief Medical Officer and to ensure that the facts were clear to everyone.

In view of the adverse impact that this uncertainty has had on the market, the Government has also decided, as a wholly exceptional measure, to introduce a short-term buying-in operation to help support the market at a critical period. We will be entering into immediate discussions with the trade with a view to implementation within a few days. I am also in touch with the European Commission in respect of any Community aspects of these arrangements.

Parliamentary approval to this new service will be sought in a Supplementary Supply Estimate for Vote IV 3 XVI 1 and XVII 1 and authority for the payments will rest upon the Estimates and the Appropriation Act. Pending that approval, urgent expenditure estimated at £7 million will be met by repayable advances from the Contingencies Fund. This cost will be found from the Reserve, so that there is no addition to the planned total of public expenditure.

DRAFT PRESS RELEASE ON BUYING-IN SCHEME FOR EGGS

The Government has taken a decision in principle to introduce a short-term buying-in scheme for the egg industry, as a wholly exceptional measure, in view of the present state of the egg market.

Consultations are taking place immediately with the trade to consider the details and appropriate mechanisms.

The Rt Hon John MacGregor, Minister of Agriculture, Fisheries and Food, will make a statement to the House of Commons on Monday.

EGGS: THE FACTS

Eggs are a valuable and nutritious part of a balanced diet.

We in Britain eat, on average, 30 million eggs a day - 200 million a week.

The number of ^{reported} cases of food poisoning from salmonella ~~known to be~~ linked to eggs is very small by comparison with the huge numbers of eggs that are consumed.

as per BI So far this year there have been 49 ^{reported} outbreaks of salmonella affecting 1,000 people traced back to eggs. ~~but this is an underestimate~~

The Government and the industry are tackling the problem and, among other things, have issued codes of practice for poultry breeders and egg producers.

In the meantime people will want to know the facts about a basic part of their daily diet.

The Government has therefore asked its Chief Medical Officer, Sir Donald Acheson, to advise the public about the use of eggs. This ^{is} is what he says: ~~Donald's present advice is:~~

"for healthy people there is very little risk from eating eggs which are cooked, however you prefer them - boiled, fried, scrambled or poached;

for vulnerable people - that is, the elderly, the sick, babies, toddlers and pregnant women - eggs should be thoroughly cooked until the white and yolk are solid;

but everyone should avoid eating raw eggs or uncooked foods made from them - for example, home made mayonnaise, home made mousses, home made icecream or raw eggs mixed with drinks"

The Chief Medical Officer adds:

"As with all cooked foods, egg dishes should be eaten as soon as possible after cooking. And if the dishes are not for immediate use they should be kept in the 'fridge'."

Please follow this advice.

H. M. Government.

L. S. M. M. M.
M

The Chief Medical Officer adds:

'As with all cooked foods, egg dishes should be eaten as soon as possible after cooking. And if the dishes are not for immediate use they should be kept in the fridge.'

Please follow this advice.

H M GOVERNMENT

EGGS: THE FACTS

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We in Britain eat, on average, 30 million eggs a day - 200 million a week.

The number of reported cases of food poisoning from salmonella linked to eggs is very small by comparison with the huge numbers of eggs that are consumed.

So far this year there have been 49 reported outbreaks of salmonella traced back to eggs. These outbreaks have affected 1000 people but this underestimates the numbers.

The Government and the industry are tackling the problem and, among other things, have issued codes of practice for poultry breeders and egg producers.

In the meantime people will want to know the facts about a basic part of their daily diet.

The Government has therefore asked its Chief Medical Officer, Sir Donald Acheson, to advise the public about the use of eggs. Sir Donald's present advice is:

'for healthy people there is very little risk from eating eggs which are cooked, however you prefer them - boiled, fried, scrambled or poached;

for vulnerable people - that is, the elderly, the sick, babies, toddlers and pregnant women - eggs should be thoroughly cooked until the white and yolk are solid;

but everyone should avoid eating raw eggs or uncooked foods made from them - for example, home made mayonnaise, home made mousses, home made ice-cream or raw eggs mixed with drinks'.

Eggs. The Facts.

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The Government and the industry are tackling the problem and, among other things, have issued codes of practice for poultry breeders and egg producers.

In the meantime people will want to know the facts about a basic part of their daily diet.

The Government has therefore asked its Chief Medical Officer, Sir Donald Acheson, to advise the public about the use of eggs. Sir Donald's present advice is:

“for **healthy people** there is very little risk from eating eggs which are **cooked**, however you prefer them – boiled, fried, scrambled or poached;
for **vulnerable people** – that is, **the elderly, the sick, babies, toddlers** and **pregnant women** – eggs should be thoroughly cooked until the white and yolk are solid;
but **everyone** should **avoid** eating **raw eggs or uncooked foods made from them** – for example, home-made mayonnaise, home-made mousses, home-made ice-cream or raw eggs mixed with drinks.”

The Chief Medical Officer adds:

“As with all cooked foods, **egg dishes should be eaten as soon as possible after cooking**. And if the dishes are not for immediate use they should be **kept in the fridge**.”

Please follow this advice.

EGGS: THE FACTS

Most people go to work on an egg. In fact, 30 million eggs are eaten in the United Kingdom each day - 200 million a week.

Eggs are a most valuable and nutritious part of a balanced diet.

And the number of cases of food poisoning from salmonella known to be linked to eggs is very small indeed compared with the huge numbers of eggs that are eaten.

The Government and the egg producers are urgently trying to get rid of the problem caused by salmonella.

In the meantime, many people who enjoy eggs want to know the facts about a basic part of their daily food.

The Government has therefore asked its Chief Medical Officer, Sir Donald Acheson, to advise consumers about eating eggs. This is what he says;

"for normal healthy people there is very little risk from eating eggs which are cooked, however you prefer them - boiled, fried, scrambled or poached.

"for more vulnerable people - that is, the elderly, the sick, babies, toddlers and pregnant women - eggs should be thoroughly cooked until the white and yolk are solid.

"but everyone should avoid eating raw eggs or uncooked foods made from them - for example, home made mayonnaise, home made mousses, home made icecream or raw eggs mixed with drinks."

The Chief Medical Officer adds:

"As with all cooked foods, egg dishes should be eaten as soon as possible after cooking. And if the dishes are not for immediate use they should be kept in the 'fridge'".

To sum up, The Chief Medical Officer says:

"You can still go to work on an egg - or enjoy your favourite egg dish - provided you follow the sensible advice I have set out above".

0310A

D. H

ANNEX II

DRAFT ADVERTISEMENT

Eggs are a most valuable and nutritious part of a balanced diet.

But so far this year, 49 outbreaks of salmonella affecting just over 1000 people have been traced back to eggs.

That is why the Government in conjunction with the industry have taken steps to issue Codes of Practice to tackle the problem and that is why they are also considering other measures.

In the meantime, people will want to know the facts about a basic part of their daily diet.

The Government has therefore asked its Chief Medical Officer, Sir Donald Acheson, to advise consumers about the risks from eating eggs at present. This is what he says:

"for healthy people there is very little risk from eating eggs which are cooked, however you prefer them - boiled, fried, scrambled or poached;

for vulnerable people - that is, the elderly, the sick, babies, toddlers and pregnant women - eggs should be thoroughly cooked until the white and yolk are solid;

but everyone should avoid eating raw eggs or uncooked foods made from them - for example, home made mayonnaise, home made mousses, home made icecream or raw eggs mixed with drinks".

The Chief Medical Officer adds:

"As with all cooked foods, egg dishes should be eaten as soon as possible after cooking. And if the dishes are not for immediate use they should be kept in the 'Fridge'".

The Government is keeping the situation closely under review.

SALMONELLA AND EGGS: AN APPRAISAL BY DOH AND MAFF

Background

1. This country is experiencing a substantial increase in salmonella foodborne illness.
2. The specific type of salmonella chiefly responsible for this rise is salmonella enteritidis. In 1981 S. enteritidis was isolated from 1,087 specimens from patients and comprised 11% of all salmonella isolations (10,251). Up to the end of September 1988, there were 10,738 isolations of S. enteritidis which comprises 55% of the total salmonella isolations so far this year (19,332).
3. Over 70% (7,624) of the isolations of S. enteritidis were of a particular strain - phage type 4 (PT4) which is associated almost exclusively with chickens and eggs.
4. Foodborne illness is significantly under-reported because not all cases are accurately diagnosed. Therefore the numbers of human cases from which these isolations were derived must represent a considerable underestimate, although it is not possible to be precise about the size of this.
5. The increase in S. enteritidis has been most marked this year and up to the end of October there have been 46 egg-associated outbreaks affecting about 1000 people*. There is little doubt that the number of cases will continue to increase and that new outbreaks will continue to be reported. Most of the sporadic cases - where only one person becomes ill - are either not reported or not investigated to establish the precise food association. 49
1100
map

Foods associated with the problem

6. Where food vehicles have been identified as causing outbreaks of illness, the pattern is also changing. In previous years chicken was much more likely to be implicated than egg. The proportion of outbreaks caused by eggs has increased this year.
7. S. enteritidis is not the only salmonella type associated with egg-related infection. S. typhimurium infection also causes a great deal of ill health. Notable examples were the House of Lords outbreak and the outbreak in the City of London.

Contamination of inside of eggs

8. Although enteritidis has similar clinical effects to other salmonella in humans, there is one important feature of the S. enteritidis organism which makes the identification and control of foodborne infection much more difficult.
9. S. enteritidis has been shown to be capable of infecting the ovaries of laying birds and the organisms can be deposited inside the egg before it is laid.

*Since then there have been 3 more egg-associated outbreaks affecting at least 75 people.

10. Such contamination, unlike the more usual external contamination of the shell, cannot be prevented by the hygienic handling of eggs and infection control must rely upon the thoroughness of cooking.

Level of contamination of eggs

11. It is impossible to know how many eggs may be contaminated. Some preliminary results have been obtained by the PHLS about salmonella contamination of eggs. The information was obtained from reports from Public Health Laboratory Service (PHLS) this week laboratories all over the country and did not form any part of a specially designed study.

12. These preliminary results suggest that in eggs from a variety of different sources where flocks have been associated with an outbreak of salmonella food poisoning, around 1 in 100 eggs examined were found to be contaminated. A number of these eggs were contaminated internally. Because these eggs were selected from suspect flocks, the sample is not representative and no inference can be drawn from these findings about the average level of salmonella contamination of eggs in this country. In particular it should be noted that 5 of the positive samples came from one small domestic flock. It is therefore advisable to treat these preliminary findings with great caution. Many hundreds of eggs from flocks not suspected of having caused outbreaks have been examined and no salmonella has been detected. The PHLS made a mistake in telling the Secretary of State for Health and The Times that 1 in 750 of such eggs had been found to be contaminated. The one contaminated egg attributed to flocks which had not been associated with an outbreak of salmonella should have been included with the results of eggs from suspect flocks.

13. What the PHLS figures do show clearly is that salmonella bacteria can be found inside the egg and not solely on the shell.

14. It should be stressed that, despite many claims and counterclaims, it is not known whether the method of egg production (ie free range or battery) has any influence on the likelihood of the eggs being contaminated. Certainly, both types of egg have been implicated in causing infection.

Heat sensitivity and advice on cooking of eggs

15. S. enteritidis can, like other salmonellas, be readily killed by heating to the appropriate temperatures. It appears that such temperatures are unlikely to be achieved in the cooking of soft boiled eggs, lightly scrambled eggs, omelettes etc.

16. However, cooking will reduce the risk from an infected egg (even if not entirely eliminate it) and it should be stressed that most healthy adults will probably suffer no ill-effects from continuing to eat eggs cooked in any way they prefer.

17. The case is different for babies, small children, the elderly, the sick, pregnant women and those whose immunity is impaired. In these groups the risk of becoming ill from eating a contaminated egg is much greater and/or the medical consequences are usually much

more severe. In 1988, there were 141 cases of bacteraemia (blood poisoning) due to S. enteritidis of which 26 died. It should be noted that 28 of these 141 individuals were already very ill and there is no direct information to link any of these cases to the consumption of eggs. Nevertheless, the figures indicate that the infection can be grave or even fatal.

Summary of Chief Medical Officer's advice

18. The Chief Medical Officer's advice is that, apart from the vulnerable groups, the healthy egg-eating public can be reassured that the risks to them of becoming sick from eating an infected cooked egg are very small indeed. They would, however be well advised to avoid eating raw eggs or foods made from them.

19. At present, the same reassurance cannot be given to people in especially vulnerable groups (see para (17) above). As well as avoiding raw eggs, such people should only eat eggs which have been thoroughly cooked - until the yolk and white are solid.

Summary of Action Taken and Intended by the Ministry of Agriculture, Fisheries and Food

20. On receipt of information from the Department of Health, a joint working party was set up in August with representatives of the Department of Health, the Ministry of Agriculture and the egg industry to evaluate the existing information on the nature and scale of the problem as a basis for action.

21. Meanwhile, the State Veterinary Service continued to investigate all individual reports of S. enteritidis in food animals and to give appropriate advice to producers.

22. In parallel, work has been in hand to develop a code of practice for poultry breeders and hatchers under the Poultry Health Scheme for the control of salmonellae. This code was issued on 5 December. Many producers were already implementing the standards in the code and it is the policy to see these standards extended throughout the industry. These measures are designed to ensure improved hygienic standards of poultry and eggs at all stages in production.

23. Action is also being taken to tighten up the enforcement of the Feedingstuffs Order to prevent the importation of contaminated material. Firm guidelines are also being drawn up on the hygienic production of animal feeds. These guidelines will result in a full code of practice.

24. We have not ruled out the possibility of introducing statutory codes of practice and even a slaughter policy.



10 DOWNING STREET

From the Principal Private Secretary

Prime Minister

EGGS.

John Macgregor has persuaded Simon Bourley of the NFU not to request a meeting with you. Mr Macgregor argued that the publicity from such a meeting would harm the producers' cause. A period of quiet was needed.

Richard Regels has also persuaded



TO DOWNING STREET
See John Sainsbury ask to
press for a meeting on the bases
that you are aware of his
concerns.

N. L. W.

8.12.